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FIRST THINGS

March 1991
Number 11

A Monthly Journal of Religion and Public Life

Judaism and American Public Life: A Symposium

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Marc Gellman • Ruth R. Wisse • David Novak
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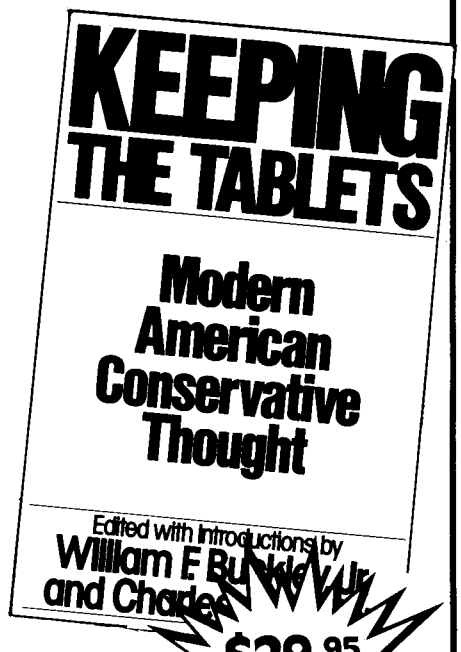

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FIRST THINGS

A Monthly Journal of Religion and Public Life

MARCH 1991 • NUMBER 11

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Unfairly Reviewed?

It is a pity that First Things has printed a review of my book *Sham Pearls for Real Swine* (January) that appears to attack me rather than deal with the issues my book raises.

My book is not a continuation of my late father, Francis Schaeffer's, work. Nor was it written out of a desire to respond to any supposed "rejection" of my work by the evangelical community. Quite the contrary. The book is written to individuals, not to a group. (There are still some of us who see people as something more than simply members of groups and group politics.) These individuals might be described as Christians of one sort or another who are also artists. Since the publication of my book I have heard from many such persons. Their response has been overwhelmingly favorable.

Kenneth Myers' review is not all that objectionable (other than in its relentless condescension); rather it fails in that it misses the point of the book. It does so by examining the book narrowly and from the wrong angle, that of the evangelical establishment and its interests. . . .

Hard as it might be for your reviewer to understand, there are larger, finer, and more interesting communities of faith and practice beyond the one in which he resides and so dutifully serves.

I wrote *Sham Pearls* after a long six-year absence from all those niceties of evangelical politics/religion that are the ever-present context from which Ken Myers writes. I am not surprised that he resents me. When I chose to go into the "secular" movie business in 1985 my books had sold over a quarter-million copies, largely to evangelical Christians. I hardly felt "rejected" then, nor do I now. However, I felt it was time for me to move on. Your reviewer seems to resent this fact.

How else to account for his rather petty personal attack on me by means of his questioning and impugning my motives for writing my book rather than dealing with its content? A review that does not honestly deal with the substance of a book but only with the perceived political and/or psychological point of view of the author is a poor review.

From reading the review I must say that my impression is that Ken Myers did not read the book, but only read the first chapter and then set about "answering" my book on behalf of the evangelical establishment.

Franky Schaeffer
Salisbury, MA

Apocalypse Irritation

Peter J. Leithart ("Middle East Apocalypse Now?" December 1990) painted with a rather broad stroke in his characterization of the eschatological perspective of Evangelicals. As a member of one of the so-called Mainline denominations and a non-dispensationalist Evangelical, I feel impelled to respond.

It is not news to Evangelicals that the kingdom is already present, that it is, in fact, a *feast*, or that Jesus is in some sense present whenever the Lord's Supper is celebrated. On the other hand, Jesus *did* promise a bodily return and the New Testament writers *do* anticipate longingly the consummation of history as we know it through the Parousia. Eucharist may indeed be eschatology, but it is not *all* of it.

If Jesus planted the anticipation of a *real* return, but only meant that he would be present in the eucharist, he was rather tricky to josh us in that way. Likewise the New Testament writers if what they *seem* to have promised us is really only "pie in the sky" that distracts us from the feast we are to be presently enjoying.

No doubt a great deal of foolishness does go on in the name of interpreting "prophetic Scripture." Wrongheaded and even bizarre projections about when and how the Second Coming will occur do abound. (Though it should not be surprising that such speculation arises in troubled times. Even such celebrated Christians as Luther and

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Melanchthon couldn't resist.)

All this need not keep us from taking Jesus and the Scriptures seriously and anticipating, watchfully and hopefully, as instructed, a final and complete form of the kingdom.

The Rev. Russell C. Wentling
Schuylkill Haven, PA

It is difficult to consider the eschatological position of Mr. Leithart as it is presented. He comes on so dogmatic, arrogant, and intolerant that his theological postulations appear to be rather insecure.

Worse still perhaps is his totally uncalled-for, pompous, and condescending critique of Hal Lindsey. Referring to Mr. Lindsey as a "former steamboat captain" is a childish cheapshot. (Let's not forget that Christ was a former carpenter.) Mr. Lindsey's academic and literary credentials are impeccably well established. It should be needless to say (but for sideline critics like Mr. Leithart) that Mr. Lindsey has done more to focus secular attention on global politics and its potential eschatological implications than probably anyone else alive today; this achievement has spurred masses to come to Christ.

Only yesterday I heard Dr. Billy Graham remark on the present disposition of Middle Eastern politics and its apocalyptic foreboding. I assume Mr. Leithart would seek to enlighten him as well.

I hope future issues of First Things contain articles presenting balanced dissent when appropriate, and less gratuitous attacks on other scholars with whom one may disagree. . . .

Clayton W. Watson
Memphis, TN

Peter J. Leithart engages in bold caricaturing and simplistic "either/or" analysis in his recent joust with the straw dummy called "dispensationalist pop-apocalyptic." Apparently irked that, in light of recent Middle East developments, the premillenialists may again be in the spotlight, Leithart intends to relegate all of them to the theological and political "yahoo" category, presumably until they embrace repentance, the fruit of which apparently is the exchange of their worship of the Bible for that of the historic Church.

Leithart fails to note the obvious: Both premillenialists and traditionalists have much to learn, as well as avoid, concerning each other. Yes, there is a lamentable lack of "historical," not to say philosophical and intellectual, rootedness in premillenialism and in other manifestations of sectarianism. But the "rootedness" of the historic churches is offset by a sorry record concerning faithfulness to an honest scriptural exegesis based on the original intent of the biblical writer or writers in question.

Perhaps no group has suffered more as a consequence of this astonishing lack than the Jewish people. For the better part of nineteen centuries, the historic churches, wittingly or unwittingly, have contributed greatly to the global spread of anti-Semitism by their excessively allegorical interpretation of most if not all favorable scriptural references to the Jews. In contrast, premillenialism's comparative sympathy for reasonably literal scriptural interpretation is laying the groundwork for the possibility of true healing of the long-standing breach between church and synagogue. The recent, though scantily reported, rise within Jewry of a "Messianic" movement which, while affirming the continued theological validity of the Jewish people, also accepts Jesus as Israel's Messiah, could not have occurred in past centuries when the traditional churches held sway and routinely burned premillenial types at the stake as heretics.

I, for one, refuse to apply "either/or" to this ongoing traditionalist/sectarian skirmish. At the very least, the historic churches comprise the primary vessel within which nineteen centuries of Christian wisdom and experience have been preserved. So the "yahoos" ignore them at their own peril. But it is through the various sectarian movements that we are continually reminded that God is not limited to carefully constructed

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buildings, structures, institutions, or political and theological systems. Indeed, due to the human element residing in them all, none are immune to sin and corruption. And it is through such movements that the historic churches in countless ways are being called not to an entire abandonment of their respective traditions and perspectives, but back to the simplicity of the Gospel and ultimately to their First Love Himself.

Paul Liben
Yonkers, NY

Peter J. Leithart replies:

With Rev. Wentling's theology I have no quarrel; I fully agree that Jesus promised to return bodily as well as sacramentally. Yet, though it is true that the eucharist is not the whole of eschatology, it is central, and, in my estimation, a too-often neglected part.

I agree with Mr. Watson that my reference to Hal Lindsey's former occupation was unwarranted and irrelevant. Insofar as my article was a critique of Lindsey, the point was not that he is poorly trained, but that some of his views are wrong in a fundamental way. Mr. Watson's response does not address that issue, but instead directs attention to Lindsey's (and, implicitly, Billy Graham's) admirable evangelistic successes. Unless Mr. Watson is suggesting that their success somehow protects them from criticism or guarantees infallibility, however, it is difficult to see the relevance of his letter.

Mr. Liben is correct that I am irked, but he has wrongly diagnosed the source of my irk. My protest was not so much that popular dispensationalists get all the air time, nor that they fail to pay sufficient attention to the historic Church (though that is often the case). Instead, my argument was that by bringing alien questions and presuppositions to their study of the Bible, dispensationalists (and many of their opponents) distort the Scriptures themselves, entirely missing the sacramental and ecclesiological dimensions of New Testament eschatology. On the relative authority of the Church and the Scriptures, Mr. Liben may be surprised to learn that my position is simply that of the Reformers, and, apparently, that of Mr. Liben himself. As Calvin might have said, the Father's Word (in Scripture) carries absolute authority and is unfailingly true, but one neglects the Mother's word to his own peril.

Mr. Liben's charge that "excessively allegorical interpretation" has "greatly" contributed to anti-Semitism carries implications that I am quite sure he would not wish to embrace. "Allegory" was not an invention of the post-apostolic Church, but has an honored place in the New Testament itself. What honest reader of Paul's avowedly allegorical argument in Galatians 3:21-31 can avoid the conclusion that, for Paul, the Christian Church was heir of the promises to Abraham? Was Paul, then, the father of Christian anti-Semitism? Beyond that, the suggestion that Spain would never have expelled the Jews, nor the Nazis committed anti-Semitic atrocities, if only dispensationalist premillennialism had been dominant in Spanish and German Churches, is another of Hal Lindsey's absurd fantasies.

Who Joshed Whom?

Richard John Neuhaus ("Joshing Richard Rorty," December 1990) may have fallen into a trap, like those decent, indignant folk who took Swift's "A Modest Proposal" literally.

Rorty *says* he is an ironist, and irony implies two audiences, those in the know and those who take things at face value. For the latter, the book masquerades as philosophy; but surely to the former it is meant to be a bitter in-joke, a pungent satirical description (but not so obvious as to lose the amusing credulity of the uninitiated) of the contemporary academic game.

Apparently Rorty makes much of "play," and what does one play if not a game? The purpose of the university game is for the intellectual to create himself (e.g., get his doctorate, get tenure) by being original, by "*playing* the new off against the old." (Emphasis added.) In order to satisfy his dissertation committee or his *ad hoc* committee, the journeyman intellectual has "to make something that never had been dreamed of before," and every graduate student or instructor in the humanities knows he can't do that any more just by studying facts, finding out which are true, and reasoning from them; the material is used up. Oh, occasionally a lucky woman can still get away with "factual" work (*Angry Queen Mab: The Lesbian Authorship of "Shakespeare's" Plays*), but she is an anachronism. The only recourse left for the ordinary wretch is to invent new jargon (a "final vocabulary") to "redescribe" old things. He finds himself speaking in tongues without having a god to praise.

The best part of the "joshing" comes when Rorty, who is a professor at a state university, goes on to distinguish slyly between the liberal intellectuals who are playing this game and the taxpayers, incapable of liberal ironism, who are paying them to play it. He has a great deal of fun suggesting that *public* rhetoric should not be ironist even in "the ideal liberal society." It might have a bad effect on "solidarity"; the state legislatures might cut off the funds. . . .

Donald Barr
Colebrook, CT

The Church and the Holocaust

In "The Christian West" (November 1990), Professor Wolfhart Pannenberg at one point responds to observations of Richard John Neuhaus about the Holocaust. While acknowledging that "there is no doubt that most Christians, and especially Christian leaders, failed to make the witness that was morally required during that period of horror," Professor Pannenberg says also that "National Socialism was explicitly and powerfully anti-Christian."

If Professor Pannenberg is right in this latter statement, certain questions cry out for answers. For one, why did so many, if not most, Ger-

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mans who were church-going Christians actively aid and abet National Socialism? For another, why did the Holy See sign with the Nazi regime a Concordat within six months of Hitler's accession to power in 1933 which was never abrogated? Perhaps, however, the most painful question on this terribly painful subject was posed some years ago by a former editor of the Catholic lay magazine *Commonweal*, James O'Gara: "How did it happen that this diabolical pagan barbarism of Adolf Hitler could have arisen and flourished in our time in the heart of Christian Europe?" . . .

Samuel Rabinove
American Jewish Committee
New York, NY

Wolfhart Pannenberg replies:

Samuel Rabinove raises three important questions about the anti-Christian as well as anti-Semitic character of Nazism. It is true that the situation was not clear during the first years of the Nazi regime, since the party program claimed a basis in "positive Christianity." Since Hitler himself had been raised a Catholic Christian, this may have contributed to misleading the Roman Catholic Church. But Nazi opposition to the Old Testament alienated many Christians, though the churches were divided in their attitudes. In the course of time, however, it became increasingly apparent that after the "victory" the Christian churches would come under more serious attack. That many Christians were imprisoned as enemies of the system is well known. The most difficult question is certainly how it was possible for such a barbarism to arise in the heart of Christian Europe. One should take into consideration, however, the largely secularized situation of European societies at the time. In many respects Nazism arose as a late product of romanticism, and there had been many pagan elements in romanticism as early as the nineteenth century.

Of Women and Bishops

I am glad you did not entirely exclude from the pages of First Things Fr. Paul Mankowski's trenchant observations about the American bishops' draft pastoral letter on "women's concerns" ("Women, Bishops, and King Lear," Public Square, December 1990). However, I am concerned that your reasons given for not publishing the entire article may give readers the mistaken impression that the pastoral is essentially a dead issue.

In fact, the pastoral is Undead. Bishop Joseph Imesch, chairman of the pastoral's drafting committee, has made clear—most recently in his report on the status of the pastoral at the National Conference of Catholic Bishops annual November meeting—that the pastoral "process" will continue for several more years, if necessary, and yet another draft is scheduled to be presented to the bishops for voting in November 1991. (The bishop emphasized that the new draft will be based on the current one, with the same title.) In his report to the bishops on the status of the document, he quipped that "if we haven't got it done by 1999, we'll quit."

Bishop Imesch also told journalists he did not expect the content of the pastoral to be affected materially by the "consultation" with the "other bishops' conferences" recommended in a letter to the pastoral committee from Cardinal Casaroli, nor by criticism of the pastoral contained in a letter "several pages long" from the Congregation for the Doctrine of the Faith—criticism which he said would not be disclosed. He said that the pastoral is "for the *American* Church, not the universal Church."

Even if the pastoral had been tabled, not merely delayed, euphoria would be unjustified. St. Augustine, in the same sermon in which the oft-quoted phrase, *Roma locuta, causa finita est*, occurs (#131, if memory serves), issued a warning that, even though "Rome has spoken, the error persists." He is cautioning Christians against complacency and premature dismantling of defenses against the continued assault on the Faith by an ideology inimical to authentic belief.

Clearly, the feminist branch of "liberationism," which has already caused deep damage both to the Church and to society, will not cease its efforts to "re-form" the Church, whatever the bishops (or Rome) may say. In fact, at a meeting of the dissident "Call to Action" group held at the same time as the NCCB meeting, keynote speaker Fr. Richard McBrien, chairman of the theology department at Notre Dame, explicitly called for continued resistance to Church authority, rejoiced that Vatican statements are continually "riddled with a volley of dissenting views," and exultantly predicted that the "outdated" hierarchical structure of the Church must inevitably fall "just as surely as the Berlin wall." Furthermore, two bishops, Auxiliary Bishop Francis Murphy of Baltimore and Bishop Raymond Lucker of New Ulm, Minnesota, "mingled" with the Women's Ordination Conference rally outside the hotel during the bishops' meeting, and Archbishop Rembert Weakland, to show his solidarity with the WOC, requested the women's prayers.

It is surely clear that this damage cannot begin to be repaired until the fundamental cause of the deepening conflict is correctly and forthrightly diagnosed. Correct diagnosis is, minimally, what any pastoral letter should accomplish. That the draft pastoral fails to do this consistently is one of its chief defects. This is what its critics, whether feminist or orthodox, have been saying all along, although from opposite points of view. (For the record, Women for Faith & Family was not among those groups who said the bishops should not write this pastoral. From the outset, we said—and still maintain—that there is immense need for clear and consistent teaching from bishops on fundamental issues addressed by the pastoral. After the appearance of the Pope's "pastoral on women," *Mulieris Dignitatem*, we hoped that the American pastoral would conform faithfully to it. It does not.)

Unhappily for the Church (and for Catholic women), the drafting committee has been more strongly com-

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mitted to "listening" (responding) to feminist complaints than to those of orthodox Catholics; to "responding with sensitivity" to those who "have problems" with Church teaching rather than correcting errors. . . .

In view of the persistence of the problem of feminism to Christian belief and to the Catholic church in particular, because the controversial pastoral and the issues it raises are emphatically undead, and because, to continue Fr. Mankowski's penetrating metaphor, the angry voices of Lear's *hostile* daughters continue to dominate, perhaps FIRST THINGS should have gone ahead and published the article in its entirety.

Helen Hull Hitchcock
Women for Faith & Family
St. Louis, MO

Abortion Rhetoric

Guy Condon's December 1990 review of *Decoding Abortion Rhetoric* by Celeste Michelle Condit reminded me of George Orwell, who warned us four decades ago about the abuse and decline of the English language and the degenerative effects such a decline would have on public discussion of important issues and on the moral and political climate of a nation.

Orwell also had something significant to say about abortion and language. Gordon Comstock, the "hero" of Orwell's novel, *Keep the Aspidistra Flying*, impregnates his lover, and after learning that she is carrying his baby, engages her in a conversation regarding what they should do.

Comstock's lover proposes the "termination of pregnancy" as the "solution"; but after she begins talking about money for the abortion, Comstock suddenly begins to understand that what they have been discussing is the killing of their unborn child: "For the first time he grasped, with the only kind of knowledge that matters, what they were really talking about. The words 'a baby' took on a new significance. They did not mean any longer a mere abstract disaster, they meant a bud of flesh. . . . It was the squalid detail of the [money] that brought it home."

People both for and against abortion have abused and manipulated language to gain support for their views; but certainly, pro-abortionists have been especially guilty of brutalizing language to cover up the fact that abortion is the killing of innocent unborn babies.

Haven Bradford Gow
Arlington Heights, IL

Preventing Abortions

Richard John Neuhaus asks (Public Square, November 1990): "How . . . can politicians 'lessen and prevent abortions' without opposing 'specific choices' to abort?" Quite simply, actually, by seeing to it that sex education in schools is improved, by supporting the development and distribution of more effective contraceptives (such as Norplant), and by improving the economic conditions of poor women and poor families. All of these measures would reduce the demand for abortion.

Alec Randall
Aspen Hill, MD

An Old Radio in Atlantic City

It drew people to it like a fire,
The needle floating up and down its dial,
Fishing for the news. It was a horror house,
A band-stand, Europe in flames,
A dummy and his master.
Among
The cloudy mirrors and calendars,
The radio knobs are toys now,
The beasts have been dragged out;
No tankers hug the coast at night,
Afraid of German submarines; the 1940s
Became the 50s.
The radio crackled
Like a forest once, or glittered
Like a pier in the brain's darkness,
Walked by Miss Americas carrying
Flowers out with the tide.

Lawrence Dugan

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FIRST THINGS
MARCH 1991

When Church-State Conflicts Aren't

Here is a review in a national publication of a book about religion in American public life. The title of the review is "Church-State Conflict Revived." But that is not what the book is about, as the review itself makes quite clear. The book is about, *inter alia*, the perduring force of religion in American life, and how the great majority of Americans draw their values from religious sources. So where did the editors get the idea that the book is about church-state conflict? The answer is that the editors are suffering from a category mistake that is amazingly widespread in the way Americans think about religion and public life.

Jefferson's phrase about the wall of separation between church and state is indelibly imprinted on the American consciousness. Almost as indelibly imprinted is the category mistake that construes the separation of church and state to mean the separation of religion from public life. There are actually several mistakes involved here. The first is to assume that "state" means "public life," resulting in an equation between government and society. This thoughtless assumption, pressed far enough, is of course the precise formula for totalitarianism, first advanced by Mussolini: "Nothing against the state, nothing outside the state, all within the state."

A second mistake is to equate "church" and "religion." To be sure, serious religion typically assumes communal and institutional forms—in, for example, church, synagogue, or mosque. But religion (from *religare*) refers to binding or compelling beliefs. It refers to the "meaning systems" by which people try to make sense of the world and their place in it. In this respect it is true to say that everybody, or at least everybody who tries to understand reality in a coherent fashion, has "got religion." The First Amendment protection of "the free exercise of religion" is not reducible to, but certainly includes, what we ordinarily call freedom of conscience.

Jefferson, Madison, and the other founders were adamant that the government had no business messing around with people's beliefs, and most especially with their sense of obligation to the Ultimate, however conceived. The government's business is to protect, not prohibit, the free exercise of such beliefs. To be sure, no rights are absolute. The person who sincerely believes that he is morally obligated to steal his neighbor's wallet and give the money to the poor will be prohibited. There is a "compelling state interest" in preventing theft. In this case we have what might be called a belief-state conflict, not a church-state conflict. If that person banded together with others of like mind and organized, say, the Church of Robin Hood, the free exercise of their shared belief might be termed a church-state conflict. But such an instance is fanciful, and far removed from what are mistakenly called church-state conflicts today.

It might be useful to make a distinction between state-church conflicts and church-state conflicts. That is to say, there are instances in which the state does violate the separation of church and state. This happens when the several branches of government, whether through regulation or legislation, interfere with the free exercise of religion, individually and corporately. For instance, there is an ongoing battle over efforts by state governments, under pressure from the public school establishment, to impose onerous regulations on church-sponsored schools. Similarly, the federal government uses the leverage of grant programs to force quota systems and other schemes on church employers. These might be called state-church conflicts, since the conflict is initiated by the state. Our concern here, however, is with real or alleged church-state conflicts.

The church—and here we include all religious organizations under "church"—transmits and inculcates certain teachings about right and wrong. That is not necessarily the most important thing the church does, but it is not unimportant. The overwhelming majority of Americans (i.e., well above 80 percent) say that their moral beliefs are derived from religious sources. To the extent that they have integrated those beliefs into their lives, they act upon them in both their private and public behavior.

As fully enfranchised citizens within a democratic polity, they advocate or oppose specific policies on the basis of what they believe to be right or wrong (meaning fair or unfair, just or unjust, etc.). That the

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sources of their beliefs are called "religious" is neither here nor there. The state has no business inquiring, indeed is prohibited from inquiring, into the sources of the beliefs on which citizens act in the public arena. If a person's beliefs are "religious" in nature, and if those beliefs lead him or her to oppose an existing public policy, this is in no way an instance of church-state conflict.

It is, rather, an instance of a citizen recommending to his fellow citizens that a policy is bad and should be changed. Such a citizen has the task of democratically persuading other citizens that he is right. With those who share his belief system, he might use arguments such as "The Bible says so" or "It is the will of God." He quickly discovers, however, that on most (almost all) policy specifics even believers are not agreed about what the Bible says or what is the will of God. He will therefore, if he is to be effective, use more "public" arguments. In a democratic polity and a pluralistic society, successful arguments are arguments that appeal to a variety of reasons for doing the thing desired. Practical coalitions are almost always premised upon not inquiring too closely into the sundry *sources* of belief that bring the members of the coalition together.

Politics, as Aristotle reminds us, is a species of ethics. Every political decision of consequence reflects a moral judgment. In response to the oft-heard claim that "You can't legislate morality," it needs repeatedly to be said that, in fact, you can't legislate anything *except* morality. Legislation is always based on *somebody's* morality. That is to say, it is based on somebody's notion of what is right or wrong, just or unjust, fair or unfair—all of which are moral categories. The claim that we cannot legislate morality is verbal sleight of hand designed to exclude from the democratic process those citizens who frankly acknowledge that their motivation is moral in nature. If, in addition, they acknowledge that their moral judgment is religiously grounded, another exclusionary trick is in store. They are then told that their advocacy "violates the separation of church and state."

Article VI of the Constitution stipulates that "no religious test shall ever be required as a qualification to any office or public trust under the United States." *Ever.* Much of the careless talk about church-state conflicts is, in fact, an effort to impose a religious test upon the citizen-magistrates of this republic. In this view, any motivation or reason can be advanced in the public square *except* a religious motivation or reason. Turning the First Amendment on its head, it is proposed that any belief can be freely exercised except religious belief. Of course the Constitution does not forbid individual citizens to impose any test they wish with respect to their own behavior in elections or legislation.

No doubt some citizens refuse to vote for a candidate who is too overtly religious. Others, however inadvisedly, might vote only for Baptist candidates who affirm the infallibility of the Scriptures. In neither case is their reason for voting as they do any business of the government. No instances come to mind of the second group of citizens challenging the first group's right to vote as they do. There are far too many instances of the first group claiming that the second group is violating the separation of church and state.

Citizen is a value-neutral term, but citizens are not value-neutral. The Christian-as-citizen or the Jew-as-citizen has presumably been influenced in some significant way by Christianity or Judaism. Similarly, the Marxist-as-citizen, the Nihilist-as-citizen, the Kantian-as-citizen, and the Libertarian-as-citizen have all drawn their beliefs from somewhere. Other citizens may have very definite views about those sources of belief, but to the government, meaning this constitutional order, those sources of belief are a matter of studied indifference.

Individual citizens, and citizens acting in concert, must make their arguments as best they can. Those who limit their appeal to others who draw on the same sources will have to calculate the political costs of doing so. But nobody challenges their right to make their appeal as they see fit—*except* when the sources involved are identified as religious. Then, as sure as night follows day, Jefferson's separationist maxim will be trotted out in order to impose an exclusionary religious test for participation in the public arena. People may publicly advocate on the basis of moral judgments that they have taken off Marx, Freud, or a current television series, but the ACLU forbid that they advocate on the basis of religious teaching. They are then said to be guilty of creating an unconstitutional church-state conflict. (Eastern, Native American, and other fashionably exotic and relatively uninfluential religions are exempted.)

The argument might be made that the situation is different when believers act corporately. When a specific church, for example, advocates or opposes policy X, it is said that we are faced with an instance of church-state conflict. There are all kinds of good reasons why churches, as churches, should not get involved in public policy specifics. Most of the good reasons have to do with the integrity of the church as a community that should transcend the inevitably divisive disagreements about specific policies. But even when a church, however imprudently, takes a position on policy X or Y, that does not constitute a church-state conflict.

If a church opposes a specific public policy, the conflict is with that policy, not with the state. Within this constitutional order, a church—like a labor union, professional guild, business association, and myriad other organized groups—is entirely free to contend for what it thinks is right. (IRS regulations related to tax exemption are another subject, and one not limited to churches.) Such contention is within the consti-

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tutional order, not outside it or against it. The alert reader may be thinking that, with the last sentence, we have slipped inadvertently into Mussolini's aforementioned formulation. Not so.

The crucial difference is that in our situation the state is not a particular leader, government, or administration. The state *is* the constitutional order. According to that order, the making of laws is accountable to "we the people," and we the people may press our views in whatever noncoercive manner we choose. People may choose to enlist their churches in partisan and divisive conflicts over public policy. To do so is, in our judgment, almost always a big mistake. But a free society guarantees, among other things, the right to make mistakes, both personally and corporately.

The conclusion would seem to be inescapable. The democratic process assumes that citizens will have many reasons, including religious reasons, to be in conflict with specific policies. We have an authentic church-state conflict, however, only when a church or churches challenge or seek to replace the constitutional order itself. Perhaps there is a case of some church, somewhere on the fringes of American life, doing that. We are not aware of it. Which is to say, we are not aware of any church-state conflicts (as distinct from state-church conflicts) in American life today.

The editors who titled the review "Church-State Conflict Revived" probably had something like this in mind: Religiously Motivated Citizens Oppose Public Policy That We Favor. (This is far from speculative, since the review dealt with opposition to abortion and the publication in question is emphatically in favor of current abortion policy.) In this instance and all too many others, talk about church-state conflict is a rhetorical device aimed at imposing a religious test upon the democratic process. It is aimed at intimidating, or even excluding from that process, citizens whose moral judgments are shaped by religious teaching. Such aims *are* in conflict with the state—the state being understood as the constitutional order of these United States.

Public office holders are required to take the oath, "I do solemnly swear that I will support and defend the Constitution of the United States." While most citizens do not formally take the oath, they do so in spirit. We might well be astonished to hear it claimed that those who do so with a moral seriousness that is informed by religious training are somehow in conflict with the constitutional order that they intend to support and defend. And yet, if we examine it carefully, that is the claim implicitly advanced by those who use the rhetoric of church-state conflict in order to separate religion and public life.

Opinion

Conflict of Canons

Peter J. Leithart

In his 1989 novel, *The Storyteller*, Mario Vargas Llosa, Peruvian novelist and erstwhile presidential candidate, describes the Machiguenga, a scattered and wandering Amazonian tribe, the various clans of which are unified by the activities of the mysterious "*hablador*," or "talker." The *habladores* appear to exercise neither royal nor religious functions, yet are held in the highest respect by the Machiguenga and carefully protected from Western observation. As he moves from one subtribe to another, the *hablador* simply talks, bringing news from other portions of the tribe, and serving, in the words of one of Vargas Llosa's characters, as "the memory of the community."

While celebrating the uniqueness of the endangered tribal cultures of the rain forests, Vargas Llosa would evidently have us recognize something of an "Every-culture" in the Machiguenga. This notion that societies are held together by common memories, by shared stories, is hardly a novel one. In moral philosophy, ethics, theology, anthropology, and, it seems, nearly every other discipline, "story" has become a central, though not an exclusive, category of analysis.

The social importance of the story is more palpable within tribes such as the Machiguenga than within our "postmodern" society. If the moral philosophers, theologians, and others are right, however, our society is equally united and defined by the story we collectively tell and live. And this, further, would seem to account for the intensity of the current turmoil within American higher education over the content and the very notion of a canon. Some cultures are unified by a story passed informally from mother to daughter, from father to son, from tribal elder to initiates—in short, by oral tradition. By contrast, our culture is unified by a canon, which is passed from one generation to the other in the highly organized ritual known as formal education. We are bound together by a story that has been written, a story that has attained a fixed and public status, a highly complex story that must be printed in multivolume sets, which are given uniform bindings so as to look impressive above the fireplace in the den.

Or such at least is the claim of those who defend the canon of great books. Of course, those presently attacking the canon object to the very notion that "we" can tell "*a* story." The whole point of the attack is that "Western Civilization" is a cacophony of stories, and that that cacophony forms a uniquely beautiful melody. A defender of the canon might retort that a

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story of plurality remains a story. In any case, if the canon embodies "our" story (or stories), and if our story is what defines us as a distinct civilization, then an attack on the canon is an attack on the very meaning of that civilization. A major change in the canon marks a major shift in our collective *Weltanschauung*. A denial that "we" can tell *a* story would seem to imply that "we" are not *a* civilization.

A Christian observing the conflict over the canon might be excused for feeling like a child watching his brothers fight it out over his toy. "Canon," after all, like so many of our political and cultural concepts, was stolen from the Church, or more charitably, it was borrowed and never returned. The original canon of Western Civilization was the collection of documents known to Christians as the Old and New Testaments. (Some of us believe that this original canon is still *the* canon.) In the premodern West (and in early America), it was the Bible that defined and unified our civilization. The Bible provided the patterns, symbols, and archetypes that made up what Northrop Frye has called the "great code" of Western literature. The Bible, especially in America, provided the framework of political rhetoric. Biblical themes were worked into architecture, painting, sculpture. Other stories there were, to be sure, but these were absorbed into and brought into the service of the dominant biblical story (witness Aquinas' "sanctification" of Aristotle). Insofar as cultures are defined by their dominant stories, premodern Western Civilization was a biblical civilization.

At the same time, the conflict over the canon holds rich resources for an ambitious Christian satirist. The cultural nihilists are correct to the extent that the very notion that we need a collection of authoritative documents is an anachronistic leftover of premodern Christendom. More than that, the new canon is treated by even the most sophisticated with the same veneration as the old biblical canon. Several years ago, a protracted, solemn, and highly technical debate raged through several prominent literary journals about a new edition of Joyce's *Ulysses*, a debate that reminded one of nothing more than the fundamentalist-modernist debates about the historical authenticity of the Scriptures. Oh, for a fundamentalist Mencken!

Amusement has its place, but also its limits. For the Christian, the current controversy over the canon pales beside the earlier shift away from a biblical canon. It took several centuries for the Bible to be dislodged from the center and steadily relegated to the periphery. Today, it is just another "great book" nestled between the Gilgamesh Epic and the Iliad in anthologies of world literature. In a precise reversal of the premodern situation, the Bible has been absorbed into a new canon and reinterpreted to accommodate a new dominant story, told in Heideggerian, Freudian, or deconstructionist accents. That accomplished fact is of vastly greater historical significance than the "who's in/who's out" bickering that dominates current debates.

The premodern world can never be recovered, and in many ways this is not to be lamented. Indeed, the Church's present position gives her an opportunity to tell her story over against the stories of the dominant culture. In this setting, the gospel can be heard for what it is—as wildly good news—rather than as a confirmation of inbred prejudice.

For the first time since Constantine, the canon of the Church is no longer identical to the dominant canon of Western Civilization. That does not mean that the Church should abandon Western Civilization to its own dismal devices. Instead, the question that the Church now must pose to what remains of Western Civilization is which canon is the more inclusive: Is the Bible a chapter in the story of Western Civilization, or is Western Civilization a chapter in the story of the Bible? It is the work of the Church to witness that the fate of our civilization turns on our answer to that question.

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Walker Percy: An Exchange

Joseph Schwartz and Paul Greenberg

JOSEPH SCHWARTZ: Walker Percy's Wise Answers

It is unfortunate that Paul Greenberg's appreciation of Walker Percy in these pages (November 1990) should have been marred by his misreading of *The Moviegoer*. Greenberg has fallen into the common critical error of reading that novel as if it were somehow radically different from Percy's others:

> It wasn't the same reading Walker Percy after *The Moviegoer*, though there were flashes in his other books. The desperate questions he raised were so much better than any of his wise answers. The Malaise has all the answers; it's the questions that still rouse and return us to life. That's why I'll keep reading *The Moviegoer*.

This is pure John Dewey, an important part of the postmodern American intellectual's baggage: It is not the destination of the march that counts but the bravery displayed along the way. Deweyism (as even Lionel

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Trilling admitted) is not characteristic of the literary masterpieces of the West that are generally rich in "wise answers"—Chaucer, Dante, Shakespeare, Dostoevski, and, in fact, Percy.

It is precisely Percy's point in *The Moviegoer* that the Malaise contained no answers, which is why it is a malaise. There is within it no Archimedean point by which one could get a hold on reality. Binx, Will, Tom, Lance—all Percy's heroes—act out that scenario. It is only something from outside the malaise (or so forgotten that it appears to be from outside) that speaks to their desperate questions.

> We need to know how you stand vis-à-vis your predicament, that is, knowledge of it and remedy for it. E.g., do you have such knowledge? Have you requested help? Has help arrived? Did you accept help? (*Lost in the Cosmos*)

From whence come the "wise answers" in Percy's fiction? Who stands for "wise answers"? For Will Barrett it is Sr. Johnette Mary Vianney, Fr. Boomer, Fr. Weatherbee; for Tom More it is Fr. Smith; for Lancelot it is Fr. Percival—all bearers of the sacred mysteries, all unabashedly kerygmatic. What about Binx? One must remember that he is a nominal Catholic and that his family remains firmly Catholic; his journey is essentially a rediscovery (like Tom More) of what has always been available to him but lost in a post-memory-of-Christianity age. Binx says, "What I am trying to tell you is that nothing seemed worth doing except something I couldn't even remember." Instead of using the kind of *deus ex machina* embodied in a formal religious figure that Percy favors in his other novels, we have instead Binx's Catholic family, most notably the saintly Lonnie, that stands for "wise answers."

Let us look at a few of the signals that are sent to the reader so that he can appreciate the "wise answers" of Christianity in the novel.

By the time we reach the "Epilogue," Binx has learned that "it is not too late." He has married Kate, and, no longer drifting and without purpose, has committed himself to medical school. There he will learn how to carry out his vocation of listening to people, not (as before) finding them dead, but handing them "along a ways in their dark journey."

The most obvious (and moving) instance of this shift is when Binx comforts his brothers and sisters who are questioning him about Lonnie's fate. Yes, says Binx, he will die. Yes, he was anointed, and, yes, the Lord will raise him up on the last day and make him whole. (It is Maytime.) The scene is a direct mimic of the magnificent ending of *The Brothers Karamozov.* Both Alyosha and Binx tell the children this absolutely essential Christian truth—that we will live again, and in both novels the children cry out "Hurrah" in benediction. (Unless you are like a child, we are reminded.) Binx is no more lying than is Alyosha. That is the whole point of the comparison with Dostoevski, a novelist Percy uses sometimes for this purpose. We shall rise from the dead with joy and gladness and see each other. Further, to invoke one of Percy's favorite Gabriel Marcel words, in both novels "intersubjectivity" triumphs over isolation. "And now we go hand in hand," cries Alyosha. Binx promises to think about Kate on the streetcar, and he waits for "my brothers and sisters [who] call out behind me." He humbly refuses to be edifying, but he will "plant a foot in the right place as opportunity presents itself."

Most of the action of the novel takes place within the shadow of Ash Wednesday, on which day by "a trick of grace," a sacred ritual, we receive "God's own importunate bonus" while we think we enact our secular rituals.

While the tale ordinarily contains all that the teller intends, it is sometimes the case that the teller speaks in a non-fictional context as to the meaning of his work, as Percy did about this novel in his Ingersoll Prize acceptance speech. Binx, he said, recreates himself in a "microcosm of the spiritual history of the West." He is a thirteenth-century pilgrim in a novel using the "oldest tradition of Western letters: the pilgrim's search outside himself rather than the guru's search within." What he discovers is that there are ways of knowing, beyond the scientific, of "critical significance to one's personal life." This kind of knowing is dramatized by the character of Lonnie who is anointed and overcomes an habitual disposition to sin. Binx says, "I would not mind changing places with Lonnie." The novelist, Percy said further, is like a diagnostician. He can point out and name what is wrong toward the end that one "might at least have hope and in the end get well."

PAUL GREENBERG: "A Foot in the Right Place"

This is a joke, right?

Professor Joseph Schwartz has to be the last great straight-faced kidder in academe, a gifted satirist out to demonstrate that art is but doctrine illustrated. Hesto presto, mix and match, and, by some kind of magical contra-alchemy, insubstantial gold is elevated to the purest lead. Step right up and see how mere literature is magically transformed into catechism.

He's got to be kidding, right?

I fear not. I've had this conversation before—with critics who explain that poor Flannery O'Connor overworked her one drab theme, the ineluctability of God's grace. They explain that all the electrifying, open-ended power that leads one to read and re-read her, feeling new each time, is but premeditated ornamentation. Ever been told that *1984* is but a latter-day version of Zamyatin's *We*? Note how Character X equals Character Y, and Theme 1 matches Book B. Just mix and match, fill in the blanks, complete

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the schematic drawing according to the approved manual from the Dept. of Comp-Lit and Automotive Mechanics, and you need never ask another question or feel another dubious feeling. It's like one of those machines that will give you a complete diagnosis of your car while you wait only briefly, except in this case you submit your soul. No charge if not completely satisfied—unless you count being depressed as hell.

What such explanations suffer from is, of course, a surfeit of explanation. Result: Instead of two readers nodding in wordless communion at having independently discovered the same exact message in *The Moviegoer* or any other intimate treasure of your choice—George Orwell, Flannery O'Connor, *The Tempest*, the authentic old *Book of Knowledge*—each begins to harbor the suspicion that the other has read a different work by the same title and author. And each wanders off after a while, shaking his head and muttering, "he just doesn't understand. . . he just doesn't understand. . ." It's depressing. And it's even more embarrassing to argue about, and have to Point Out things. It's like fighting over a sacrament. You want to reach down and clean off what's been done to it, yet you fear you'll cheapen it by the effort.

I'm obliged to Professor Schwartz, kind of, for explaining how I misread *The Moviegoer* and precisely what Walker Percy's point was. Here all along I thought the book had more to do with desperate questions than wise answers, with faith more than certainty, with searching more than finding. I'm still back there with Binx in Chapter One:

> What is the nature of the search? you ask.
>
> Really it is very simple, at least for a fellow like me; so simple that it is easily overlooked.
>
> The search is what anyone would undertake if he were not sunk in the everydayness of his own life. . . .
>
> To become aware of the possibility of the search is to be onto something. Not to be onto something is to be in despair.
>
> The movies are onto the search, but they screw it up. The search always ends in despair. They like to show a fellow coming to himself in a strange place—but what does he do? He takes up with the local librarian, sets about proving to the local children what a nice fellow he is, and settles down with a vengeance. In two weeks time he is so sunk in everydayness that he might just as well be dead.

Give 'em a happy ending every time and the search is over. As in some of the simpler branches of mathematics, the answers were there in the back of the book all along—in this case in Walker Percy's Epilogue as handed down by Professor Schwartz. How could I have missed them? They're so obvious, like the moral printed at the end of a fable. At last Binx Bolling straightens out and decides to go to medical school, settle down with a girl the family approves, and prove what a nice fellow he is to little children. If we accept this version of a Moviegoer that I didn't know and, forgive me, don't want to know, in two weeks time Dr.-elect Bolling will be so sunk in everydayness that he might just as well be dead. When ol' Binx said the movies screw up the search, he may not have considered the possibilities offered by professors of literature. Brother Schwartz sounds less catholic to me than parochial, and his parish is the deadeningly familiar one of Theolit.

Walker Percy's Epilogue à la Schwartz is almost as soul-satisfying as the one to the Book of Job, with its tacked-on happy ending. God, the malaise is so thick you want to scratch it off the page and see what is underneath the easy words of comfort. Why is the uncomforted Job so much more interesting, more real? Why do the generations not ponder over the Job whose sons and camels and she-asses are replaced so happily, but rather the one who still searches? Why is poor, searching Binx the stockbroker so much more to us than Professor Schwartz's happily married medical student at the end of the book? And how did Shakespeare wind up among Professor Schwartz's exemplars of the Power of Positive Thinkers in Western Lit? I thought that was why Tolstoy hated him—because Shakespeare didn't have a message. And must we drag John Dewey into this? And what about Naomi?

But seriously, folks: In the wilderness, the search is possible. It is not possible in slavery, or in the promised land. Those may be only other names for the same thing—everydayness, the malaise. Lawrence Kushner, the Sudbury (Mass.) rebbe says: "The wilderness is not just a desert through which we wandered for forty years. It is a way of being. Even if just for a moment every now and then each day. For it is the only way to being." He sounds eerily like Walker Percy's Binx. I think he's on to something.

Yes, we enter the wilderness with our literary testaments—with Joseph's bones—but their significance for us changes as, let's hope, we do. In my innocence I thought that was why Binx kept going to the same old movies—not to repeat the experience but to appreciate and apprehend the changes in himself, and cut through the malaise, and renew the search. I thought that was how the book got its title.

Professor Schwartz is kind enough to say of Binx Bolling that he "humbly refuses to be edifying, but he will 'plant a foot in the right place as opportunity presents itself.' " The whole paragraph from *The Moviegoer* is so much more satisfying and unsatisfying, mystifying, and edifying, and, well, whole. Listen to this. It deserves to be read carefully:

> As for my search, I have not the inclination to say much on the subject. For one thing, I have not the authority, as the great Danish philosopher declared, to speak of such matters in any way

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> other than the edifying. For another thing, it is not open to me even to be edifying, since the time is later than his, much too late to edify or do much of anything except plant a foot in the right place as the opportunity presents itself—if indeed asskicking is properly distinguished from edification.

Amen, Binx, and more power to you. Alas, just about all you can do sometimes is kick ass. And that is an even less dignified posture than that of the kickee, who may have offended in all innocence; else he could not be so sure.

Professor Schwartz may persuade me yet of his interpretation of Binx if he keeps pointing out that my misunderstanding of *The Moviegoer* is common among critics. My inadequate defense to that charge is that even the critics may be on to something sometimes.

Anyway, I think Binx deserves the last word. Please note that it is from the Binx of the Epilogue:

> Further: I am a member of my mother's family after all and so naturally shy away from the subject of religion (a peculiar word this in the first place, religion; it is something to be suspicious of.)

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Of Rome and Runnymede

Paul V. Mankowski

Curious. Why should the *New York Times*, the *Washington Post*, and the *Boston Globe* all see fit to carry the story of the promulgation of *Ex Corde Ecclesiae*, the papal declaration on the mission of Catholic universities? On the face of it, Vatican norms for higher education hardly seem to have national "news value," especially from the perspective of those papers that have frequently strained the bounds of responsible journalism to the breaking point in order to reinforce the notion that the Vatican view of *anything* is hopelessly inapplicable to our contemporary situation. Could it be that they protest just a little too much, that this is yet another instance in which the power brokers of a militant secularism see more clearly than Christians themselves how the teaching Church cuts too close to the bone for anyone's comfort?

Earlier drafts of this document had caused consternation among the Catholic educational elite, who interpreted Vatican insistence on the integrity of Catholic truth as a threat to the autonomy deemed necessary to an *American* university. The party line was: The Congregation for Education (then headed by William Cardinal Baum) doesn't understand our unique responsibilities in a pluralist democratic society. This reasoning prompted a Jesuit scholar of my acquaintance to murmur, "If the 109 U.S. Catholic college presidents are such poor communicators that they are unable to convey to an American cardinal the purpose and status of their own institutions, then we're in deeper trouble than I thought." Of course, Rome understood only too well what the Americanists wanted to accomplish, and the Congregation's misgivings were targeted accordingly; there was much wry amusement to be had from the "How can this possibly apply to us?" routine, when almost every bullet in the draft had a patently recognizable name on it.

With the appearance of the final document, the predictable *volte-face* has occurred, and now we are meant to find the prime significance of *Ex Corde Ecclesiae* in its recognition of institutional autonomy and norms that are "few, general, and applied at the local level." The prestige media has rallied 'round to help put out the word that Catholic educators who take their values from the surrounding culture have nothing to fear from the latest foray. A premature judgment.

In his preface to the text, the Pope says, "I felt obliged to propose a . . . document for Catholic universities as a sort of *magna carta*, enriched by the long and fruitful experience of the Church in the realm of universities and open to the promise of future achievements that will require courageous creativity and rigorous fidelity." The words "*magna carta*" ought to make the drowsy reader start. The implications of the historical analogy are astonishing, since we are obliged to find a sense in which *Ex Corde Ecclesiae* is intended as a gesture of defiance, as a declaration *from below*, as a rebuke to the encroachment of tyranny upon the rightful prerogatives of a long-oppressed order. The rhetoric of emancipation has been used for so long by the academy against the teaching Church that it is a commonplace; all the more interesting then that the Pope should take it for his own.

"What is at stake," writes the Pope, "is the very meaning of the human person." This meaning has to be vindicated in every age and in every culture with respect to the threats posed by constantly changing circumstances. This vindication "requires a clear awareness that by its Catholic character a university is made more capable of conducting an impartial search for truth, a search that is neither subordinated

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to nor conditioned by particular interests of any kind." There is a neat inversion here of the standard anti-hierarchical polemic in which every insubordinate scholar is a martyr to truth, David set upon by Goliath, Galileo besieged by a Grand Inquisitor. How can the Pope, this late in the twentieth century, pretend to a reverence both for dogma and for an impartial search for truth?

Perhaps the Pope is on to something overlooked by others, that the secular academy in our century has abetted partisan attempts to discredit methods proper to science and scholarship, and this with a vigor unparalleled in the history of the West. We have seen Marxists condemn Mendelian genetics as a counter-revolutionary intrigue, Nazis reject the theory of relativity as a Jewish fabrication, feminists dismiss propositional logic as a white male conspiracy—all with the (rather uneasy) connivance of the university authorities. Would an impartial observer find more political contamination in Renaissance scholarship than in our own, or less intellectual independence among the orthodox churchmen than among the dissenters of our time? Is Scaliger more a child of his age than Stanley Fish? Charles Curran less a product of politics than Henri de Lubac? Is there doubt any longer that the proper distinction is not between dogmatists and free inquirers, but between those who are aware of their dogmas (and to this extent free) and those who are unaware that they hold any dogmas at all (and thus their unwitting slaves)?

The terms of the *magna carta* are these: (1) that genuine scholarship and scientific independence are in grave danger of forfeiting their rightful prerogatives to an increasingly tyrannous politicization of knowledge, a tyranny that has made itself felt by placing ideological constraints on nearly every field of enquiry; and (2) that Catholic scholars have in this document a charter of their duty "to speak uncomfortable truths which do not please public opinion, but which are necessary to safeguard the authentic good of society," and their freedom "to preserve the sense of the human person over the world and of God over the human person."

John Finnis recently reminded us what was at stake in an earlier *Kulturkampf* wherein worldly power felt threatened by teaching authority. After the declaration of papal infallibility in 1870, Reich Chancellor Bismarck wrote that Vatican I had established a "papal totalitarianism" over Catholics. In a response that must be seen as uncomfortably prescient in terms of subsequent European history, the German bishops said, "It is not the Catholic Church that has accepted the immoral and despotic principle that superior orders release one unconditionally from personal responsibility." The bishops' position was vindicated some seventy years later—ironically, at Nuremberg.

The reception given to *Ex Corde Ecclesiae* must be understood in light of the fact that it is in the Catholic faculties themselves in which virulent anti-Roman sentiment is to be found, and not merely in the Bismarcks of our time; indeed, the faculty *apparatchiks* of the Catholic left have found an ally in Big Government in their project to insulate themselves from the Magisterium, whence the (often disingenuous) claims that the "state-approved charters" of American colleges are jeopardized by an "extrinsic ecclesiastical authority."

The professoriate is extremely uneasy with the notion of evangelization as a task of the Catholic university, precisely because a true Gospel freedom runs counter to that politicization of knowledge, and especially of theology, which the professoriate has been at such pains to advance. The authority by which evangelical liberty is safeguarded is the enemy of every Goliath, and most commentators have chosen to ignore the central place this document gives to evangelization in the university's mission, for reasons that are not hard to find. For if the message of *Ex Corde Ecclesiae* is taken seriously by Catholic scholars, it is all too likely that the tyranny of ideology over the search for truth—a tyranny so long complacent, so long indulged—will have met, if not its Waterloo, then at least its Runnymede.

PAUL V. MANKOWSKI, S.J., *is a frequent contributor to* FIRST THINGS.

I Am the Very Model of a Modern Vicar-P'rochial

Mike Aquilina

V-P: I am the very model of a modern Vicar-P'rochial.
I've schooling theological, from Curran to Ezekial.
I know the Code of Canon Law, and know which
lines are optional
for dear dissenting brethren, Manichean or adoptional.
From seminars I've learned to be more challenging
and quizzical,
more sensitive and relevant, spontaneous and physical.
To any novel text I give the best endorsement that
I can
unless it bears the postmark of the bishop or the
Vatican.

All: Be watchful for the postmark of the bishop or the Vatican.

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V-P: The strum and conga drum sound as I amble
from the sacristy.
I smile with fond approval at the felt-and-burlap
tapestry.
In short, in matters pastoral and socio-liturgical,
I am the very model of a modern Vicar-P'rochial.

All: In short, in matters pastoral and socio-liturgical,
he is the very model of a modern Vicar-P'rochial.

V-P: I know Salvation History, from Abraham to
Matthew Fox.
I'm puzzled not by Job since I've done research into
chickenpox.
I raise a brow when hearing how we prove our
doctrines Marian.
And demons are neuroses; and expulsions are
Rogerian.
All Scripture is an open book when taught as modern
courses do.
I've even puzzled out the scene with colts and asses'
horses, too.
The only thing that troubles me is how we can
continue if
our Founder was the speciesist who drove those piggies
off the cliff.

All: Who, indeed, then was the man who drove those
piggies off the cliff?

V-P: I wander midst the People in my improv
homiletical,
explaining how their bourgeois life to faith is
antithetical.
You see, in matters doctrinal, but most of all political,
I am the very model of a modern Vicar-P'rochial.

All: Why, yes, in matters doctrinal, but most of all
political,
he is the very model of a modern Vicar-P'rochial.

V-P: Though I'm a good disciple of the Movement
Ecumenical,
admitting Zens and Wiccans and the pantheists
Hellenical,
I can't abide the wealth inside the churches
Presbyterian,
and Baptists with their sermons can be just a trifle
wearyin'.
I'm holding out till Lutherans take on some more
minorities.
Of course, the Fundamentalists—I have no need for
more of these.
I'm comfy as a Roman—though with oppositions
personal
in matters theo-psycho-contraceptico-political.

All: We too are comfy Romans, but with oppositions
personal.

V-P: I have no altar ego; I relinquish duties easily.
I welcome nuns and laymen—come and share my
ministries with me.
My mother says that I should seek employment more
respectable.
All things considered, I'm the model modern Vicar-
P'rochial.

All: Don't change a thing, don't look for new
employment more respectable.
You are our perfect model of a modern Vicar-P'rochial!

Mike Aquilina *is a new contributor to* First Things.

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Judaism and American Public Life: *A Symposium*

In the half-century now past, the dominant view among American Jews was that religion should be rigorously separated from public life. The more thoroughly secular the society, many thought, the safer it is for Jews. Those who, like Will Herberg, dissented from that view were in a very small minority. Now, however, more Jews seem to be having second thoughts about the relationship between religion and public life. In the 1960s, Orthodox Jews joined Catholics and others in urging public funding for religious schools. The National Jewish Commission on Law and Public Affairs (COLPA) has been formed as a counterweight to the "strict separationism" of other Jewish organizations on church-state questions. Jewish leaders are increasingly contending for "equal time" and "equal protection" in laws and government programs that encourage rather than restrict the role of religion in public life.

Therefore, the editors of FIRST THINGS recently asked a number of Jewish observers to respond to the following questions: What ought to be the role of religion in American public life, and how has your thinking on this question changed (if indeed it has changed)?

David G. Dalin

I strongly believe that religion should play a central role in American public life, that a multiplicity of religious symbols belong in the public square. I am not now (nor have I ever been) comfortable with the liberal Jewish position that religion and public life must remain rigidly distinct. I have never shared the strict separationist faith espoused by Leo Pfeffer (among others) that religious freedom is most secure where church and state are separated and least secure where government and religion are intertwined.

On the contrary: I remain convinced that an American political culture uninformed by religious beliefs and symbols undermines the position of religiously observant Jews, and of other communities of faith, within American society. In their own self-interest, believing Jews should seek and applaud judicial decisions that permit far more, rather than less, accommodation of religion in public life. They should, moreover, applaud the decisions of those courts and judges that have recognized that although certain practices arising out of the requirements of Jewish religious law may conflict with society's normal practices, these requirements are entitled to reasonable accommodation. (Those judicial decisions of recent years that have affirmed that employers must attempt to make "reasonable accommodations" to the religious needs of employees and, in so doing, have upheld the free exercise claims of Jewish sabbath and holiday observers, are a case in point.) Instead of fighting for the elimination of religious symbols in the public arena, more Jewish leaders ought to be fighting (as some already have) for "equal time" for Jewish symbols, for the "free exercise" of religion through laws and judicial rulings designed to make it easier for observant Jews to uphold the tenets of their faith.

As much, perhaps, as any other church-state question, the issue of religious symbols on public property has generated increasing concern and debate within the American Jewish community in recent years. This concern has derived, in part, from the growing recognition that the triumph of strict separationism as a legal doctrine, with its promise to expunge all

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religious symbols from the public arena, may actually infringe upon the free exercise of religion cherished by American Jews.

The 1986 U.S. Supreme Court decision in *Goldman v. Weinberger* is illustrative of this tendency, one too often ignored by liberal Jewish adherents to the prevailing separationist faith. Simcha Goldman, an Orthodox Jew and ordained rabbi serving as a clinical psychologist in an Air Force hospital, wore a yarmulke at all times and contended that an Air Force dress code regulation which forbade the wearing of "headgear" (such as a yarmulke) while indoors infringed upon his First Amendment right to free exercise of his religious belief. The Supreme Court, however, upheld the Air Force regulation, implying that to do otherwise would violate the separation of church and state. The First Amendment's free exercise protection, ruled the court, did not require the military to accommodate Captain Goldman's religious obligation. Implicit in the doctrine of church-state separation that the Supreme Court enforced in this case is the assumption that religious symbols such as the yarmulke, while appropriate for private religious devotion in home or synagogue, have no legitimate place in any public institution. The Supreme Court's denial of Simcha Goldman's exercise of his religious obligation to wear a yarmulke is, it seems to me, but one recent and especially troubling example of what the Pfefferian ideal of strict separationism has wrought.

Another troubling example has involved the unbending efforts of liberal Jewish organizations to keep religious symbols, such as the crèche and menorah, outside the public arena. Recently, however, the traditional liberal Jewish opposition to the public display of religious symbols has been countered by a growing demand on the part of many Jews for "equal time" for specifically Jewish symbols. With the recent Supreme Court ruling in the case of *Allegheny County v. ACLU*, I believe a new and exciting chapter in the church-state debate may be evolving around Jewish attempts in Pittsburgh and other places to legitimate the display of Jewish religious symbols in the public square.

The cases in question have to do with the constitutional propriety of placing a Hanukkah menorah in front of a public building or in a public park. Jewish opponents of these displays have argued that "since there is no religious need to place sacred symbols of any faith on public property . . . there is no religious need to be accommodated by the government." Other Jews, including this writer, believe that such a compelling religious need indeed exists. Especially so, as in the Allegheny case, where religious symbols of differing faiths—the Hanukkah menorah and Christmas tree—are displayed side by side. When there are a multiplicity of religious symbols in the public square, the government is not favoring one religion over another but rather is expressing equal respect for all religious faiths. Promoting harmony among religious groups is profoundly different from the "establishing" of one religion that the First Amendment forbids. By giving a Jewish religious display "equal time" with a Christian one, Pittsburgh was showing the very "neutrality with regard to all religions" that the First Amendment was enacted to guarantee.

As a religiously observant Jew, I find this a welcome and compelling argument that other Jewish believers, of all denominations, should be able to support and applaud. It is my hope, moreover, that this argument may be reflected in a continuing shift away from the strict separationist ideal that has for so long guided (and often misguided) Supreme Court rulings on church-state issues. I believe it should be the shared hope and prayer of religious believers of all faiths that the *Allegheny County* decision may usher in a new post-separationist era in church-state relations in America, an era characterized by a greater spirit of accommodation of religion by government, wherein a multitude of religious symbols and concerns may help to transform and reshape our public life.

David G. Dalin, *an ordained rabbi, teaches American Jewish history at the University of Hartford. His book* From Marxism to Judaism: The Collected Essays of Will Herberg, *was published last year. The editors of* First Things *thank Rabbi Dalin, a member of the* First Things *Editorial Advisory Board, for his help in planning and organizing this symposium.*

Marc D. Stern

The jumping-off point for this symposium is the contention that Jews are "increasingly contending for 'equal time' in law and government programs that encourage rather than restrict the role of religion in public life." Both the poll evidence and the evidence of organizational behavior belie the existence of such a shift. *No* Jewish organization supported the Equal Access Act, which wrote the equal time principle into law and allowed religious students a platform from which to inject religion into the public high school environment. *None* supported giving creationism equal time with evolution. *None* supported ending the special status religious individuals enjoyed under the Free Exercise Clause in favor of a new rule that treats religious and nonreligious citizens equally.

There are good reasons for the Jewish community's refusal to adopt equality as the overriding principle for defining religion's public role. Shortly after the Supreme Court upheld the equal access law, fundamentalist and evangelical groups announced campaigns to spread the gospel in the public schools. Describing the decision, one group dedicated to encouraging that effort has written, "God has opened

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up a huge mission field. Our missionaries to this field must be our high school students. They can reach their generation for Jesus." Equality that encourages such activity is no boon to Jews.

Some Orthodox groups have sought to ensure "equal treatment or encouragement of religion in public life." That is surely true of the Lubavitch's campaign to erect menorahs at government sites, or of its support for moments of silent prayer, or, for the broader Orthodox community, support for aid to parochial schools. These efforts represent the voice of, at most, 10 percent of American Jewry. And the fact is that even within Orthodoxy there are sharp and deep disagreements about the wisdom of these efforts, of which only Lubavitch's really represents a desire to increase government involvement with religion. The rest of the Orthodox community is motivated by the very different principle of equality, or sheer necessity, not any independent judgment about the desirability of increased public involvement with religion.

In short, if there is any wholesale shift of Jewish opinion on church-state issues from a separationist point of view to an equal treatment or greater involvement point of view, it is not yet visible. It would indeed be startling if Jews were seeking to inject religion into the public life of the nation when for American Jewry as a whole religion has less significance than ever.

This is not to say that equality is not a religious clause value for most Jews. There is a unanimity that synagogues cannot be denied benefits accorded churches. Almost certainly, had the Supreme Court given unqualified approval to the display of crèches, Jews would have demanded equal treatment for menorahs. That demand would have represented not the view that it was healthy for government to be involved with religion, or that the public square needs greater input from religion, but the bedrock view of Jews that they should not allow themselves to be treated as second-class citizens. Equality between religious and nonreligious, however, is simply not the only, or even the most important, value for American Jews.

The substantive question posed is what ought to be the role of religion in American public life. That question could mean three different things: it could refer to the problem of church-state relations—prayer in the schools, religious holiday observances, and the like. The current rule has on the whole served the Jewish community well. Beyond such pragmatic considerations lies an ethical one: it is right that in a society as diverse as this government should not inject itself into religious matters. And it is hard to see any great benefit to religion from the use of opening prayers, In God We Trust, or other ceremonial notations of religious influence. Such events only trivialize religion, contributing a patina of piety, not its reality.

Or the question posed might be whether the government ought to be especially tolerant of religious practices by exempting them, if at all practicable, from restrictions imposed by laws of general applicability. Here, the situation has been unsatisfactory ever since the Supreme Court's "peyote" decision (*Employment Division v. Smith*) which held that the Free Exercise Clause did not mandate such accommodation. The organized Jewish community was for many years not sufficiently interested in the problems of the religiously observant. If Rabbi Arthur Hertzberg is correct in describing the Jewish community as increasingly divorced from any substantial religious impulse (a description I believe to be correct), this lack of interest is hardly surprising.

But what I suspect the question means is yet a third thing: whether religious leaders ought to inject their religious views into political debates over the secular issues confronting society. Jews of all stripes in fact do just that: Orthodox Jews in the name of *halakha*, Reform Jews under the rubric of the prophetic tradition. Even secular umbrella groups such as the National Jewish Community Relations Advisory Committee invoke the Jewish tradition as justification for involvement in public affairs. Aside from a few early hypocritical denunciations of the religious right (and occasional critiques of anti-abortion activists), the Jewish community as a whole has not challenged such activity, even when it disagrees with the substance of what is said.

It is not at all clear that this involvement under the rubric of religion produces very much or has significant impact on the real world. Despite the celebratory claims of Allen Hertzke in *Representing God in Washington: The Role of Religious Lobbies in the American Polity*, I do not believe that American religious groups have any large impact on issues other than legislation directly affecting the religious community as such. At most, religious advocacy gives moral legitimacy to policy urged on other (secular) grounds. On rare occasions that may be significant, but these cases are only a small percentage of the matters in which a religious voice is heard.

There is uncertainty within the Jewish community over how far religious leaders should go in advocating religious positions. May they use religious language? What are appropriate means of speech? What claim do ministers have on their adherents, whether legislators or government officials? Governor Cuomo, and before him President Kennedy, insisted that the answer was easy—that other than in their private lives, the clergy had no claim to control the action of public officials.

That answer has the advantage of simplicity and of avoiding religious warfare and quasi-theocracies. But it also means that public officials must be religiously schizophrenic. Still, it seems advisable under present conditions for religious leaders as a matter of prudence not to seek to hold officeholders to religious discipline.

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The debate over the appropriate role of religion in the public square was the most interesting church-state controversy of the 1980s. That debate led to no clear answers, which is not a particularly troubling situation. The fact is that there are conflicting policies and pressures involving a balance among competing interests of religious freedom, pluralism, freedom of speech, and civility. It is instructive that while Richard John Neuhaus made a manful effort in his *Naked Public Square*, he was never quite able to explain—even, if I understand him, to his own satisfaction—what the implementation of his thesis calling for greater religious involvement in the public square would mean for religious minorities. For Jews, that is no minor objection to advocacy of greater political activity by religious groups. Probably the best that we as a society can do is muddle through, giving due regard for the conflicting interests.

In a way, however, the issue is an unfortunate distraction from more pressing realities. There is no lack of religious voice in American society. There is real lack of religious influence. In part, this is because of the give and take of the legislative process, a give and take for which the absolute commands of religious ethics are ill-matched.

But the problem goes beyond that. It is that religion's pronouncements do not generate deep commitments. The question for churches is how to persuade people that their pronouncements are weighty and deserving of implementation. How can religion speak to a society whose organs of communication are secular (and in which religious affairs receive relatively little coverage), a society whose values are pragmatic and short-term, where the commitment to religion is increasingly superficial, where most of the roles that religion once filled—whether setting moral standards, providing social services, or providing community—are now filled by groups and institutions in which religion doesn't play a role? The immediate problem, then, for religion is to persuade internally before turning to the public square. It is ultimately by persuading their adherents that religious groups will have influence, not by getting on the evening news.

I am not calling for a retreat into purely personal piety or a mystical insistence on communing with the Divine to the exclusion of all else, nor do I believe that the secular world is corrupt and beyond redemption. Rather, the question is where struggles for religious influence should be fought—whether the primary forum ought to be the public square. The public square is attractive and beguiling; it offers mass audiences, and the illusion of fame. What it does not offer for religious leaders is a substantial chance of success. That lies in creating communities of believers.

This prescription depends on the existence of religious institutions with the wherewithal to demonstrate the viability of alternatives to the prevailing secular morality, and the legal freedom to implement those lifestyles as much as possible. Both of these preconditions are now in substantial doubt. Here, then, is the future of church-state relations. And on this turns the future of religious influence on the public square.

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Dennis Prager

Secular Jewish activists have been doing both America and American Jewry great harm in their unrelenting war against any manifestation of religion outside the church or synagogue and the home.

The harm to Jews has been the raising of a generation of "Jews for Nothing." I deliberately choose this phrase because many American Jews resent—correctly, I believe—"Jews for Jesus." Yet Jewish fears of "Jews for Jesus" have been utterly disproportionate to the threat. The few "Jews for Jesus" are a negligible threat to Jewish welfare and survival, while Jews for Nothing pose an almost fatal threat to American Jewry.

The harm to American society at large is that we have been also raising non-Jews with no commitments to anything higher than themselves. And when these products of our secular world do have commitments, they are increasingly to trees and to sea otters rather than to humans, and certainly not to anything so quaint as God, character development, or the holy.

In lectures to American Jews, one of the points I emphasize is the tragic irony that the Jews, the people who brought God into the world, are today among the leaders of virtually every American movement dedicated to removing God and religion from the world. To cite one of too many possible examples, a Jewish organization, the aggressively secularist American Jewish Congress, welcomed the Supreme Court ruling upholding a state ban on the posting of the Ten Commandments in public high schools. We Jews gave the world the Ten Commandments, and the secular Jews of the American Jewish Congress and the non-Jewish Jews of the ACLU devote their lives to taking them back.

How and why this happened is a theme that Rabbi Joseph Telushkin and I developed in the chapter on non-Jewish Jews in our book *Why the Jews? The Reason for Antisemitism.* Suffice it to say here that activist secular Jews *are* highly religious and they do profoundly believe in shaping society according to their beliefs. *The problem is that their religion is not Judaism. It is liberalism.*

Liberalism possesses every characteristic of a religion, with the exception of God-based ethics. Liberalism is a leap of faith (to, for example, the inherent goodness of man); it offers idealistic passion and a

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community of fellow true believers (in the myriad liberal organizations). It offers commitments to things higher than self; it even has saints (liberal heroes and liberal organizations such as the ACLU) and of course villains (conservatives, particularly neo-conservatives, Ronald Reagan). It has its own sacred scriptures (e.g., the Constitution), its inviolable laws (just as Orthodox Jews venerate and rely on *halakha*, liberal Jews venerate and rely on American law), and even a Devil who causes all evil (socioeconomic forces).

Thus, before addressing the question of how religion should enter into public life, it is imperative that we recognize two things:

First, secular religion, i.e., liberalism, has no problem whatsoever with imposing its agenda on American life. If liberalism could be officially listed as a religion, we could then use the separation of church and state clause against liberal authoritarianism just as liberals use it against religious authoritarianism.

Second, were it not for the Judeo-Christian tradition (I am quite aware of the many differences between Judaism and Christianity, but I am equally well aware of the values that the two religions share), America would have been a moral and economic wasteland. And that is precisely what America will become without religion.

Having said this, I do wish to emphasize the importance of separating church and state. The mixture of the two has never been good, not historically in Christendom, and not today in Israel. It is also particularly bad for religion, which becomes weak and corrupt when it can rely on the state for its force.

The dilemma is then quite clear: without religious values, America will rapidly crumble, yet the state and religion must be kept separate. How can we reconcile these divergent realities?

The answer lies in one of the least common traits in contemporary American life—moderation. The secular government must hold *as an American value* that cultivating religion is a good thing for purely practical reasons. Even an atheist can acknowledge the negative ramifications of the death of God in society—e.g., the late Michael Harrington in his book *The Politics at God's Funeral.*

That is why this Jew has no problem with a crèche at city hall. Only secular extremists can find offense in such an innocuous governmental display of religion. (But have you noticed that there is no such thing in the American lexicon as secular extremists, only religious extremists?)

Not only does this Jew not object to a crèche in city hall, I think it can actually benefit Jews. I want Jewish children to ask their parents questions about who they are. Quite aside from my belief that a vibrant Christianity is indispensable to American life, I want Christianity to be vibrant in America for selfish *Jewish* reasons: When the non-Jews are religious, the Jews stay Jewish; and when the majority culture believes in nothing, most Jews will believe in nothing.

Thus, I want Christians to fight the battle against abortion on demand *even though, as a Jew, I strongly disagree about abortion being murder.* For the secular liberal view of the fetus as of no more value than a decayed tooth—what else can "a woman can do what she wants with her own body" mean?—is frightening. Moreover, that Jewish organizations should hold such a position constitutes one of the gravest Jewish sins, a *khillul Hashem* (desecration of God's name).

I want the Ten Commandments taught, not just displayed, in public schools. I do not want young people to get a secular brainwash, going from kindergarten through college without once having been challenged to look at life through religious eyes.

Most of all, I want religious men and women to advocate religion in the public square (not through government). But I mean religion, not liberalism and not conservatism.

When the National Conference of Catholic Bishops sounds identical to Jesse Jackson and the secular left on the role of American force in a world of evil, I wonder whether this is Catholicism or liberalism that I am hearing.

When Protestants start flirting with or even embracing pacifism, a doctrine that holds that it is morally preferable to allow Dr. Mengele to continue to perform medical experiments on men, women, and children than it is to kill him, I see why many people regard liberal Protestantism as secularism with Christ's name added on.

My ideal is a secular government and a religious society. But with every passing day I see America moving further and further from this ideal, becoming militantly, nihilistically secular. Only if Jews and Christians begin pointing out that it is not socioeconomic conditions but the decline of religion that is the greatest single cause of the moral decline of our country do we have a prayer. Without doing so, prayer won't help.

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Nicholas Wolfson

I do not share the assumption that more Jews are having "second thoughts" about the relationship between church and state. In my personal experience in organized Jewish life, there is no major shift. No doubt many in orthodox Jewish groups desire a breakdown in the wall between church and state, but the mainstream liberal Jewish organizations continue

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to maintain the old position.

They do so with good reason. It is in the self-interest of minority religions to uphold the separation principle embedded in the First Amendment. Breach the constitutional barrier, and dominant religious forces will flood the schools and public life with the majoritarian religious beliefs of the day. There will soon be no breathing space for minority voices.

There is nothing inherently cynical in alluding to Jewish self-interest. It is an interest shared by all the other minority voices in the country. It is, in essence, shorthand for a description of the core purpose of the First Amendment, whether in free speech or in religious expression and the separation principle.

That core is the protection of the minority in fundamental matters from the oppression of the majority, no matter how sincerely or passionately the majority makes its claims. Indeed, in affairs of religion, passionate sincerity is present more often than not. In a democratic society that passion will always lead to excesses, unless checked by the anti-majoritarian principles of the First Amendment.

I believe that some Jewish conservatives, or neoconservatives, have been influenced by the 1980s rhetoric of Christian conservatives calling for the return to traditional values. I need not remind the readers of this journal of the argument which suggests that morality in private life can be restored only if religion is returned to the public square. It is based on a kind of Aristotelian notion that the state has the opportunity and responsibility to develop a cohesive moral order. This is in conflict with modern libertarian ideas that men and women should be free, as John Stuart Mill put it, to express themselves in word and action so long as they do not harm another.

I do not share the conservative faith in the wisdom of the state. Modern experience with the cruel excesses of state power has taught us the value of government restraint in areas of personal belief and action. Belief in the beneficent role of government, intermixed with religion, embodies a nostalgic longing for an imagined premodern golden age where religious leaders led the common populace in a private (and public) life of piety centered in the happy nuclear family. If ever there was such a world—and I doubt it—it cannot be introduced in modern Western society without coercive government suppression of heretical (as the government sees them) movements.

There is a passionate diversity in religious belief. For example, Orthodox Jewry, the Catholic leadership, and other religious orthodoxies belittle the role of women in religious leadership. Reform and Orthodox Jewish groups and other religious groups differ deeply over the legitimacy of homosexuality. Reform and Orthodox Jews cannot even agree as to who is a Jew. In the current Gulf crisis and other crises, different religious groups argue over the moral legitimacy of the use of military force. What religion, then, do we bring into the schools and American public life? The answer, tragically, will be the religious belief that the dominant majority endorses.

Another obvious example of the dangers of religion in public life is the abortion issue. Catholic prelates, driven by fundamental belief, have threatened to excommunicate Catholic politicians who do not toe the line on this great debate. Fortunately, their effort at creating conformity appears to have failed. But their campaign is an indication of the kinds of censorship that will ultimately be brought to bear on minorities if religion is introduced as an instrument of proper belief into the schools and public life.

Unfortunately, Jews have only to look at Israel for a lesson in the dangers that religion in public life can bring. In Israel, Jews are the dominant majority. Religious leaders, under a complex set of laws and customs, have a powerful grip on the role of religious life in the public square. Marriage, divorce, and family life are largely subject to the dominant religious voices, which in Israel happen to be those of the Orthodox. As a result, although Israel is the only democracy in the region, the freedoms we are accustomed to in the United States as a consequence of the First Amendment are diminished. Indeed, my sense is that American Jews, and many citizens of Israel, are having second thoughts about this problem, which they view as equal in significance to the Israel-Palestinian issue.

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Milton Himmelfarb

It has been said before, and needs to be said again: The trouble is not that religion in general has too small a role in American public life or American life simply. The trouble is that a particular religion has too great a role—paganism, the *de facto* established religion. When dissenters pleaded that it is no business of government to endow art like Robert Mapplethorpe's, all they got for their pains was a derisory token victory and the expectable disdain of the *New York Times*.

Let historicists wince at statements that begin, "Judaism is." Judaism is against paganism.

Ha-yehudi, "the Jew," occurs six times in Scripture, only in the book of Esther and always in apposition to "Mordecai," who is also once "a Jewish man" and once "a Jew." In Rabbi Johanan's exegesis (Megillah 13a), Mordecai is so insistently called a Jew "because he abjured paganism [*'avodah zarah*], for everyone who abjures paganism is called a Jew; as is written (Daniel 3:12): '. . . Jews . . . serve not thy gods nor worship the golden image which thou has set up.' "

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For the Rabbis, as for Scripture, the essence of paganism is unchastity. In Leviticus 18 the unchastities forbidden to Israel are not merely the practices of the Egyptian and Canaanite pagans but actually their laws (*huqqot* = Septuagint's *nomima*): paganism does more than tolerate, it demands unchastity. Rabbinically, only paganism's licentiousness explains its appeal. About Israelite paganism in the age of the First Temple, "Rabbi Judah said, citing Rav: Israel knew that *'avodah zarah* has no substance. They adopted *'avodah zarah* only in order to give themselves license for overt sexual transgression" (Sanhedrin 63b).

For the most solemn possible abjuration of paganism/unchastity, therefore, the Rabbis ordained Leviticus 18 to be read in the synagogue toward the close of Yom Kippur. (Was it in Queen Victoria's reign that Reform, fearing that Leviticus 18 might bring a blush to the cheek of the young person, banished it in favor of selected verses from 19? The delayed payoff for a heteroclite rabbinate now is that 18:22 need never be heard by its congregations.)

The honorific subtitle of the historian Peter Gay's *Enlightenment* is the *Rise of Modern Paganism*. The Enlightenment's project was liberal—to liberate us for the pursuit of our happiness—but some of what began as liberal has become libertine, and libertinism has brought enslavement and misery more than it has brought liberation and happiness: AIDS, kids who have kids, the vanishing father. First the French Revolution devoured its children, then the Bolshevik Revolution, and now the sexual revolution.

Drugs, too, are a pagan devourer. In Judaism, you are equally forbidden to injure yourself and your neighbor, but in paganism, you own your body and are free to inflict on it any injury you wish.

With less paganism and less of its bitter fruit, the country would be less diseased, less fear-ridden, less ignorant, less poor. Surely all must agree that American Jewry should try to help bring that about?

As the Duke of Wellington said about something else: If you can believe that, you can believe anything.

A *New York Times* editorial being sacred writ, if the *Times* says so then government must endow exhibits that "documented a sadomasochistic homosexual subculture." We have not yet been instructed about endowing exhibits that documented a sadomasochistic Aryan National subculture.

In Cincinnati, a curator was tried for obscenity because his museum defended the cause of Art by showing the Mapplethorpe collection. (He was acquitted, the jury deferring to its betters about "What Is Art?") One expert witness testified for the defense that the photograph of a penis with a finger inserted into it "was a very ordered, classical composition" and that another photograph, of an arm in an anus, was formally similar to the photograph of a flower. In the opinion of the *Times*' photography editor, the curator of a university museum "came closest to the truth when she told the prosecutor . . ., 'It's the tension between the physical beauty of the photograph and the brutal nature of what's going on in it that gives it the particular quality that this work of art has.' " The prosecutor failed to ask her a hypothetical question: What would be her expert opinion of a photograph in which there was tension between its beauty and the brutal nature of what was going on in a Nazi torture chamber?

When the esthetic and the ethical (or moral) conflict, as they do here, paganism sides with the esthetic and Judaism with the ethical. In the nineteenth century, Matthew Arnold's Hellenism/Hebraism and Samuel David Luzzatto's Atticism/Abrahamism drew that distinction. (In the twelfth century, Judah Ha-levi's *Kuzari* drew it.) In Arnold's time he thought that Hebraism pressed too hard on Hellenism. Now the effortless low paganism that ousted his kind of Hellenism presses much harder on Hebraism, but American Jews do not champion Hebraism in its distress. They champion separationism—separation of church and state elevated almost to the rank of *summum bonum*—and separationism favors paganism.

Responding to the backward who say that a Christ-in-urine is not what government should endow, the Establishment shudders at the censorship of not giving an artist the money he applies for. (Besides, it was only a tiny fraction of the Arts budget.) If, implausibly, the tiny fraction had endowed art for a church or synagogue, that would have been an unforgivable breach in the Wall of Separation. Whether the money was much or little would not matter, principle would be at stake. The money must be returned, the guilty exposed, watchdogs posted.

It would be funny if it were not so sad.

I first published my objections to the separationist dogma of the American Jewish community almost twenty-five years ago, and I have since called American Jews diehard conservatives. We have seen the unimaginable become real, the impossible become actual, the obdurate become yielding: Berlin wall down, statues of Lenin toppled, the triumphant religion of Marxism-Leninism in ruins. Can American Jewry, uniquely, hold out against necessary change?

British Jews are always puzzled by what they take to be our fuss about separation. They do not mind at all that their Chief Rabbi is in the House of Lords.

In France and its Jewish community separationism was once even more deeply rooted than in the United States and its Jewish community, but a Chief Rabbi of France once told me how disappointed he was to find American Jews still vigorously separationist. In substance, he said: "Don't they realize how that has fostered irreligion"—he meant paganism—"and how that in turn has fostered crime and every other evil? In France we realize it." I have forgotten what I told him, but I remember wondering what he would have

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said if he had been Ashkenazi.

Tiqqûn means "setting right, repairing, correcting, perfecting." For Jews on the left who like to give a Jewish cast to their politics, the tradition's *tiqqûn 'olam*, "setting the world right," means whatever is on the left's agenda, and the problem of paganism never is. In the tradition itself the *'Alenu* prayer (which Solomon Schechter called the Jewish "Marseillaise") has this: ". . . in hope we wait, O Lord our God, . . . for Thee to remove the idols from the earth, the no-gods being utterly cut down, to *taqqen 'olam bemalkhut Shaddai* set the world right by the Almighty's kingship. . . ." The prayer ends in two verses from Scripture: "The Lord shall reign for ever and ever" (Exodus 15:18) and "And the Lord shall be king over all the earth: in that day shall there be one Lord, and his name one" (Zechariah 14:9). *Tiqqûn 'olam* is *tiqqûn* from paganism.

When will the Synagogue Council, the National Jewish Community Relations Advisory Council, ADL, and the two AJCs each appoint its Task Force on Combating Paganism? We should live so long.

Are Jews unlikely to bestir themselves soon to seek relief and deliverance from paganism and its bitter fruit? Then let us hope with Mordecai that "relief and deliverance will come to the Jews from another quarter."

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Nathan Lewin

I am proud to be—and always have been—an antidisestablishmentarianist. This was, in my grade-school days, the longest English word we could imagine. No one seemed to know what it meant, and I surely never dreamed I would describe myself as one. But that is what I am.

The strict separationists—those who condemn every financial or ceremonial link of government with religion—have succeeded in persuading the courts over the past half-century to dismantle or forbid any church-state association that might be viewed as an "establishment of religion." Their success has, I think, crippled Judaism in the United States. Rather than stimulating Jewish identity, observance, and pride, the national Jewish organizations have promoted Jewish ignorance, indifference, and insecurity by their determined campaign to eliminate religion from public life. It was momentarily satisfying for me to win in the Supreme Court, against the opposition of the Jewish disestablishmentarianists, the right to display a menorah in front of a city hall. I recognize that while we prevailed in a small battle, they have won the war.

Twenty years ago, when I wrote the *amicus curiae* brief for the National Jewish Commission on Law and Public Affairs (COLPA) in the Supreme Court in *Lemon v. Kurtzman*—the landmark case on aid to parochial schools—I truly believed we could win. We argued a constitutional proposition that seemed right to me then and seems right to me today. We claimed that it was a violation of the Free Exercise Clause of the First Amendment to require religious parents, who are conscientiously bound to send their children to religious schools, to pay taxes for public education (which they cannot enjoy) if their religious schools are not compensated for the cost of teachers in secular programs that are required by state law. I still remember my great disappointment in reading Chief Justice Burger's opinion in *Lemon*, but I hoped then that we would, some day, have a Supreme Court majority that would recognize the paramount importance of the Free Exercise Clause.

The current conservative Court majority has taken a different and unexpected tack. Instead of strengthening the Free Exercise Clause and diminishing the Establishment Clause, it has chosen to strangle the former and starve the latter. The Oregon peyote decision suddenly eradicated the Free Exercise Clause. With all the advance notice of Pearl Harbor and with no relevant request from any party in the case or from any *amicus*, Justice Antonin Scalia and four of his brethren obliterated the few Supreme Court precedents that protect religious observers and gave lower courts, as well as federal agencies, free rein to override the good-faith claims of religious minorities.

This ominous development heightens the need for Jews to ensure that we and our institutions remain visible. If the Constitution, as presently interpreted, gives the courts no power to guarantee the observance of our religion, we must be certain that other societal institutions give us latitude and visibility. Jewish adults and children feel they are part of America and its culture when they see a municipality's Hanukkah menorah. A land with so celebrated a tradition of religious diversity may surely signify its respect for the conscientious convictions of its citizens.

Judaism will survive in the United States, notwithstanding the lure of assimilation, if Jewish identity is respected and Jewish learning encouraged. Prohibiting all public acknowledgments of Judaism and barring any possible public benefits to Jewish institutions conveys the wrong message to America's Jews. It tells them to hang, rather than lift, their heads.

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Jonathan D. Sarna

In a petition to the Continental Congress, meeting in Philadelphia in 1787, the German-Jewish immigrant Jonas Phillips enunciated what to my mind should still be the proper approach of American Jews to the question of religion in American life. "The Israeletes," he wrote, "will think them self happy to live under a government where all Relegious societies are on an Eaquel footing."

Two centuries later, we know how difficult even this seemingly simple goal has been to achieve. Equal footing, after all, clashes with basic American notions of majority rule. Why *should* majority faiths have to accommodate themselves to minority ones? Doesn't democracy imply that it is the minority faiths that need to adapt? While the First Amendment would seem to provide the answer to these objections by limiting majority rule in the case of fundamental freedoms, minority faiths in America know all too well that even constitutional guarantees are not iron-clad.

Through the years, zealous legislators have, among other things, forced Catholics to fund Protestant public schools, Jews to conform to sectarian Sunday laws, non-Christians to recognize the national holiday of Christmas, and Mormons and Indians to observe laws of the state rather than the requirements of their faith. Had some political leaders been successful, the Constitution itself would now be Christian, complete with a Christological amendment that would, in effect, have made some Americans more equal than others.

It is on account of this zeal that many American Jews late in the nineteenth century abandoned their longstanding commitment to equal footing and forged a new alliance with advocates of strict church-state separation. Only a complete divorce between government and religion, they came to believe, could prevent the kind of abuses that would otherwise transform America into a bigoted Christian state. The "wall of separation between church and state" that Thomas Jefferson invoked in his famous 1802 letter to the Danbury Baptists became Jews' new rallying cry. In the twentieth century, led by lawyers like Leo Pfeffer, Jews and like-minded Americans fought through the courts to translate this ill-defined wall into a hardy bulwark of constitutional law.

Like many young American Jews, I too grew up believing in this "Wall of Separation"—so much so that I was convinced it had been written into the Constitution itself. The Justices of the Supreme Court in those days were our heroes. We cheered as they decided one case after another in "our favor," further separating religion from the state. Indeed, we fervently looked forward to the day when religion would be totally confined to home and house of worship, and the state would be divorced from religion altogether—better that, we believed, than state-sponsored Christianity.

What we did not know (how could we, it was not taught in our schools), and what I myself came only to appreciate much later, was how valuable and vital a force religion has been in American life. Antislavery, Progressive-era reforms, the civil rights movement, the anti-Vietnam movement, the movement to aid Soviet Jews—all depended, in significant part, on religious activism within the public square. In addition, religious leaders have played a critical role (although, alas, not recently) in promoting high standards of ethics and morality. Historically, they have served as behavioral role models, speaking out fearlessly on behalf of "good government" and against social corruption. Were these, I asked myself, the kinds of activities that I wanted now to curtail by restricting religion to home and to church?

More recently, it has struck me that the separationist ideal, essentially a theory of separate spheres, reflects an ideology that I and most of my friends have long since rejected. At one time, a large number of American Jews fervently believed that one should be a Jew at home and a person like everybody else on the outside. My generation, however, vigorously dissented from this view; we wore our Judaism on the outside too. Since we no longer confined our Judaism to home and house of worship (any more than we confined our wives to "women's sphere"), had we any right to expect others to do differently? Clearly, the whole basis of "strict separation," with its assumption that religion and state should occupy completely different spheres of life, needed to be rethought.

Nevertheless, I today still worry about state-sponsored Christianity. I continue to fear that some of those who pay lip service to "religion in American life" really have in mind one religion—and not mine. I know that even in this, the bicentennial of the First Amendment, numbers of Americans would, given the chance, write *their* religion into American law.

But I also know that religions of every sort need to be nurtured in America. They strengthen the fabric of American life and promote social betterment. Strict separation is neither possible nor desirable. Religion is much too valuable and all-encompassing to be restricted to a "separate sphere" of its own. My own vision resembles instead the hope expressed by Jonas Phillips back in 1787: to live in an America where people of all faiths stand on an equal footing.

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Marc Gellman

My thinking about the role of religion in public life has been influenced by wildly different forces.

First there was the Vietnam war and the *Kulturkampf* it unleashed in America, which released me from an undifferentiated Milwaukee childhood into the late 1960s stampede of many Americans to find an alternative identity that was not primarily American, with all the ugly imperialistic resonances and responsibilities the name implied. With America seen as a global oppressor, I sought refuge in my Jewish identity. The comforting and conveniently guilt-free identity of the Jew as victim was, in my mind at least, immune to the facts of Jewish power and acceptance in America. In that guilt-ridden time I needed to cloak myself in the moral innocence of a victim. I became a Jewish-Radical, one of the many hyphenated rebels of that tumultuous time.

The one virtue of this charade was that I came to consciousness believing that my religious identity and my sense of political activism were utterly intertwined. My socialism at the time included more quotations from Isaiah than Marx, which was fair enough because my Judaism included more quotations from Marx than from Isaiah. However infantile my theology and my political theories may have been, I believed then, and I believe now, that God commands us to speak the truth of our faith both in our home and on our way, both when we lie down and when we rise up. A religion that does not matter in the streets cannot matter in the pews. I had no real idea at the time how all this played out. I was satisfied simply to trail the Movement providing biblical and talmudic quotes to justify what the left was going to do anyway.

I left the left when I perceived it as turning against Israel. What I felt among my comrades was the strong and frankly anti-Semitic impulse to blame Jews once we were no longer victims. Oppressive Arab dictatorships received nothing like the calumny which the left heaped on democratic Israel, and I resented it deeply. I retain my sympathy for the Palestinian people, but from my vantage point I remain unconvinced that a true Palestinian moderate leader can survive and be followed. Clearly it was my Jewish identity that compelled me to alter my political identity. In other times the opposite would no doubt have occurred.

The second blow from the left came when the black power movement in America turned its back on whites and, with special vitriol, Jews. This was a bitter time for me. My first rabbinic mentor had been fired from his pulpit because he decided to march with Rev. King in the South. I felt deeply proud of the Jewish contributions to the civil rights movement. I considered Schwerner and Goodman to be martyrs, not just political victims. My hero, Rabbi Abraham Joshua Heschel, marched with King in Selma not as a token Jew but as a trusted partner in the struggle.

The civil rights movement was for me redolent with religious meaning and metaphor. For me King was primarily a Reverend, not a Doctor. I felt then and I feel now that it was the power of his faith more than the power of his political ideology that accounted both for his political successes and certainly his oratorical passion. When the civil rights movement was taken over by secular black radicals, that religious vision faded and the movement collapsed. It left me with the lesson that a religious vision is essential to overcoming the social ills of America. I believed then and I believe now that the forces of goodness and understanding, of toleration and justice, must find their authentic religious roots again before the tree of social justice will once more bear fruit.

Then I began to think about fetuses. I thought about them first in the context of my doctoral dissertation in Philosophy, and later as a Jew and as a recovering American. To my shock and amazement, the more I thought about it the more I realized that my liberal and radical friends had gotten the abortion thing all wrong.

This struggle for a woman's right to have an abortion when the pregnancy does not threaten her life or her health does not feel like the struggle to get Rosa Parks a place on the Montgomery bus or James Meredith a place in the University of Mississippi. Those struggles were full of the aroma of justice overcoming bigotry. This struggle smells like a fight to keep women and men from accepting the consequences of sexual promiscuity. How narrow and selfish that seems to me now.

I was bewildered that so many of my Movement friends could not translate their compassion and peacefulness, their regard for life and health, into compassion for fetuses who, despite their disputed moral status before birth, would *eventually* and surely become persons with the right to find a life for themselves too.

I suspected that the primary reason for the blindness of the left on abortion was the instinctive cultural disdain felt for prolife advocates. They listened to Lawrence Welk, not the Grateful Dead, they had purple hair and white sequined glasses, not long hair and wire-rimmed glasses. They were the ones we had seen across the picket lines in Selma. But on this issue they somehow got it right and we got it wrong. It did not escape my notice that many of the prolife people were moved by their faith to take this position. I could not say that about the prochoice people I knew. The prolife people spoke of rights and wrongs, while the prochoice people spoke of rights and laws. The former language was far more congenial to me personally, and far closer to my sense of how God wants us to make religion real in the world.

Absent a clear danger or palpable threat to the life of the mother, I found that I could no longer condone the morality of killing fetuses. In consulting my faith

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and its rich legal traditions, I found that my thinking was much in line with orthodox Jewish law on the morality of abortion. Though Jewish law is relatively clear in not considering the fetus a bearer of moral rights, it is equally clear that save to protect the life or basic health of the mother, abortion is absolutely prohibited.

Never did it occur to me that Judaism's opposition to elective abortions should be considered an inappropriate reason to be prolife. Never did I think that the separation doctrine of the Constitution prohibited my Judaism from informing my moral choices and from motivating me to work to see those choices made real in the marketplace of ideas and politics that shapes public policy. I had never apologized for being pro-civil rights on the basis of the Bible. Why should I apologize for being prolife on the basis of the Talmud?

What I concluded was that there was bad faith here on the part of prochoice people who, because they disagreed with the conclusion of religiously motivated prolife citizens of America, disparaged the religious motivations that undergirded them. There was no such uproar about Reverend King's religious motivations for civil rights. They were a part of making civil rights a holy crusade.

I saw and I see no reason why religious Americans should feel hesitant to express their religious views or to urge that those views become public policy. I am still uncertain about how my views on abortion ought to be translated, if at all, into public policy, but I know that the killing of a fetus is not a morally neutral act that ought to be covered by some privacy doctrine whether invented or discovered in the Constitution.

God is not finished with me, but I know now that the Judaism that has been with me since I came to maturity speaks not only in the room where I light shabbat candles, but also and essentially to the world that shivers outside the glow of those candles.

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Ruth R. Wisse

Not long ago, on the campus of my university, I was talking to one of our activists, a professor who devotes much of her time to defending the rights of various academic constituencies. It is here relevant to note that this professor is an American and a non-Jewish Jew—that is, someone identifiably Jewish who underscores her disaffiliation from both the religious and the national content of Jewishness.

I was deploring what seemed a marked increase in the use of the classroom as a pulpit. Students were complaining of the promotion of political causes during regular class hours, a practice that had been mercifully slow in overtaking McGill. She nodded agreement: She herself, having lately complained to the building director about the presence in the lobby of a "Christian exhibit," had asked him to remove the offensive material. I was dumbfounded by this turn in the conversation. "How can you object to an exhibit?" I asked. "What was offensive about the material?" "It was religious material," she said. "That was offensive to me!"

I am not an American, and I cannot properly address the constitutional issues of church and state, but this chance conversation may help to explain why my thinking on the role of religion in public life has, indeed, changed. I had once assumed that liberalism was the guarantor of rights, only to discover that an illiberal liberalism could become the denier of rights. My objection to the doctrinaire university classroom, an objection influenced by the great Old Liberal Sidney Hook, takes for granted the right of everyone to promote his views, as long as the promoter is not empowered to deny the same freedom to others. But the New Liberal (my fellow professor to the core) defines freedom as the right to promote her views, and oppression as the attempt of others to express theirs. She regards religion as her special enemy, since its claim to speak in the name of ultimate Truth is the most serious challenge to her identical claim for irreligion.

Thus my defense of religion in public life is first and foremost a defense of religion against the illiberal liberal who would deny it the right of free speech. If religion enjoys no privileged place in American life, it should certainly be accorded its competitive place, its right of influence as well as of worship.

I would go even further. The way I judge ideas is not through their highest claim, but through their lowest perversion. It is for this reason that Judaism seems to me a superior religion. Focused inward on containing man's capacity for evil through a pattern of small habits, it runs the risk of atrophying into dry ritual rather than enriching civilized life to the fullest—but that is the worst it does. I leave it to others to make their comparisons.

By the same token, I have come to trust the religious faith in God more than the liberal faith in Reason. At its best, the belief in a higher-than-human power breeds humility, which is the spiritual guarantor of tolerance. And even at its worst, every God-centered religion is at least open to the appeal to its highest transcendent principles. Contrarily, the evidence of our century suggests that the totalitarian impulse is implicit rather than accidental in doctrinaire irreligion which adores its shrunken vision of humankind. The difference between my illiberal colleague and a Communist commissar is only one of degree.

I am convinced that the uniquely democratic American Constitution could not have been conceived save under the aegis of God. Nor do I believe that American democracy can flourish without a sense of the God who inspired the Founders. It may seem bizarre, both to those who are religiously gifted and to those who deny the

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existence of God, to suggest that faith in the God of our ancestors can be a substitute for faith of one's own, but if the closest one can come to God is through what was fashioned in His Spirit, it is still sufficiently humbling. The appeal to God in the oath of allegiance, the oath of office, in benedictions on ceremonial occasions, and even on the coin of the realm, is an attenuated but still vital reminder of the source of the American idea of freedom. I very much doubt that American freedom can survive without it.

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David Novak

Certainly since the First World War, with the rise to prominence of the major secular Jewish organizations in America, the official line of the American Jewish "Establishment" has been that the strictest possible separation of religion and the state is something that is good for Jews and good for America. The clear implication is that the more secular American society, the better.

I would argue that this line has not been good for Jews or for America, either.

It has not been good for Jews because it has relegated Judaism (along with Christianity) to the realm of the private. Now despite the great value Americans place on privacy, they do so by public means. Even those who speak of a "right to privacy" speak of it in the context of a constitutional (that is, a public) guarantee. It is the self-limitation of the public realm that makes room for the private.

Thus, if the public realm is where the important moral issues are decided (importance being defined as that to which more effort and attention is directed), and if Judaism is something private, Judaism would then seem to become something of secondary moral import at best. However, Judaism does not survive very well, let alone thrive, in an atmosphere where it is not the primary moral authority in the lives of Jews. According to classical Jewish teaching, the whole world was created for the sake of the Torah; the Torah cannot simply be a subordinate part of a larger whole.

This does not mean that Jews can live with moral integrity only in a society Judaically constituted (a society which does not at present exist, even in the State of Israel). Judaism surely teaches Jews to respect the authority of any society that is founded on right, not might, and that allows Jews to practice the commandments of the Torah. Nevertheless, this public moral requirement is only Jewish if explicitly constituted Judaically. Jews cannot simply be "Jews inside and human beings outside," as a nineteenth-century poet, over-enamored with the Enlightenment, put the matter. In retrospect, that slogan turned out to be a prescription for assimilation.

Current Jewish experience has confirmed the truth of traditional Judaic teaching. The remarkable resurgence of religious commitment among some American Jews—often the best and the brightest (coupled, alas, with the increasing indifference and assimilation of others)—can be traced to a stance that runs directly against the relegation of Judaism to the realm of the private.

The best example of this Jewish religious resurgence is the Jewish Day School movement, which is now endorsed by every segment of religious Jewry. Schools are public institutions which, even if not the recipients of public funds (a point many supporters of religious schools, Jews and others, argue need not be the case on constitutional grounds), receive public accreditation and other types of official public recognition. There is now a clear consensus that this type of education provides a far better source of Jewish identity for Jewish children in America than education that can only supplement the education offered in the public (that is, state) schools. It is becoming increasingly evident, to cite just one positive result, that a considerable segment of the younger leadership of the American Jewish community is made up of the graduates of these Jewish Day Schools.

This encouraging situation has not been the result of the efforts of the strict separationists in the American Jewish community. Rather, it has been the product of those Jews who would like to see more, not less, public support for these schools and for religion in general. Most of the strict separationists seem to have been primarily concerned with the support of secularism in American life. The greatest expenditures of their time and money seem to have been for lawsuits and other forms of public protest against what they see as the encroachment of religion into American public life.

As for American democracy itself, the strict separation of religion from public life has not been good, either. (By "religion" I actually mean "religions"—that is, religious pluralism. Clearly no responsible Jew could be a supporter of an official state religion or anything like "Christian America.") Strict separation has not been good for American democracy because the nation's true roots are religious and not secular. The relationship with God is the primary human right and duty from which all other rights and duties flow. (The recognition that this relationship presupposes political liberty in order to be freely affirmed—hence properly affirmed—guarantees the rights of those nonbelievers who choose not to exercise the right and fulfill the duty.) Without this foundation, American democracy can only be based on a type of secularism that cannot allow, let alone guarantee, the place of religions in the public realm. That is something that neither Jews nor Christians can accept with moral integrity.

Strict separationism is bad both for Jews and for America for essentially the same reason. I believe that Jews are meant to be much more than just another ethnic

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group, concerned only with our own particularism. Judaism teaches that Jews are to be God's witnesses to the whole world (Isaiah 43:9-10). That witness can be made only in an atmosphere where Jews can live according to the singular requirements involved in our covenant with God. This presupposes an environment where the human relationship with God, in all its plurality, is publicly respected and is thus publicly influential. What is good for Jews is, in this sense at least, good for the world. Strict separationism, because of its secularist foundation, is inconsistent with what American Jews ought to desire for themselves and for the society in which they live.

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Midge Decter

Many years ago, someone complained to the then British prime minister, Sir Harold Macmillan, that the people of Britain had lost their sense of purpose. "If they want a sense of purpose," he replied, "let them go to their bishops."

This was a deeply civilized thing to say—he was a deeply civilized man—and a response whose appositeness it seems not too snooty to suppose few of his interlocutors were likely to have understood. There would be even fewer among us today, when every *i* and *t* in the realm of the spirit must be legalistically dotted and crossed, every apprehension converted to a proposition, every tacit understanding translated to a slogan scrawled on public walls. This is a time, to name but one example, when the iron-and-gossamer connection of husband to wife and of both to child has been turned into something called "family values" and is thus both coarsened and weakened. In the same way, to be forced, as we unquestionably now are, to make a topic of public discussion of the relation between church and state means precisely that we are members of a society which has lost its hold—Harold Macmillan's hold—on the meaning of both.

As for my thinking on this subject, it has not changed; it has only just, haltingly, begun. What should be the role of religion in American public life? Why, to keep us humble, to keep us mindful that we are not a better people than God's other children but are beyond any measure luckier, and perhaps above all to instruct the citizens of a democracy where beyond state and government and policy-making the true transcendence that every one of us at least sometimes looks for is to be found.

But this is a far cry indeed from the public controversies that our current epidemic of so-called realist atheism has given rise to, such as whether it is permissible to pray or celebrate Christmas in schools and other public institutions, or to grant government support of one kind or another to private religious education. What to do about these? I wish I knew. Not as a Jew—that's easy: whatever unease Jews felt in an American culture dominated by Christianity ain't nothin' compared with the anxiety for Jews and everybody else in a culture dominated by ravening atheists (sometimes mistakenly called "humanists"), including, be it noted, for the atheists themselves. Still, it is not easy as an American to know how far we may go before we damage the pluralism that is essential to the special nature of this society, where, to use Richard Neuhaus' metaphor, we are to draw the outer boundaries, and how we are to furnish our presently desperately naked square. But would not God Himself enjoin us to be modest and even a little fearful in our deliberations about how best to go about beseeching Him to restore our sense of purpose?

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Richard L. Rubenstein

In 1964 I contributed an essay to a book entitled *Religion and the Public Order* (Donald Gianella, ed.) in which I strongly supported the absolute separation of church and state in the United States. Since then my views have changed.

The special need of a religious ministry for the military has long been recognized, and an equitable arrangement is in place to provide for it. However, other groups need some kind of religious ministry as well. Public school pupils, for example, constitute such a group. Unfortunately, it is far more difficult to meet the religious needs of public school students equitably. In the military, men and women are free to choose their denomination. Catholics, Baptists, Presbyterians, and Jews go their separate ways in matters of worship without creating a divisive problem for their normal work situation. Indeed, the fact that military service does not entail separation from one's own religious community probably strengthens individuals in their work. Moreover, unlike children in their first years of schooling, men and women in the service are old enough to understand some of the ambiguities inherent in American religious pluralism. Separating children for the sake of prayer or worship could prove extremely divisive in public schools already divided by race and other factors. Further balkanizing of American public schools is hardly a good idea.

Moreover, it is difficult to see how a common religious program might be worked out. If, for example, an agreement is reached that some sort of nonsectarian prayer be offered to begin classes or school assemblies, conservative Christians might take offense if Jesus is not mentioned. If Jesus is mentioned, Jews will feel excluded. Mutually acceptable references to God would in all likelihood be watered down to the point of irrelevance.

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Nor is there likely to be agreement on Bible reading and the recitation of the Lord's Prayer in the public schools. The Lord's Prayer is among the most beautiful and meaningful ever uttered. However, in its original context in both Matthew and Luke, it is clearly a prayer that Jesus instructs his disciples to recite. As such, it is one of the most precious possessions of Christendom, but Jews are not disciples of Jesus and it is impossible for them to recite the prayer while remaining faithful to their own traditions.

Similarly, the Bible has a different meaning for Jews and Christians. For Christians, the New Testament is not only part of Scripture, it is that part in terms of which the entire Bible is to be understood. For Jews the New Testament is one of humanity's most important collections of religious writings, but it is simply not Scripture. If there is to be Bible reading in the schools, it is difficult to imagine that conservative Christians would accept the exclusion of the New Testament. If it is not excluded, Jews will be excluded.

Fundamentally, the problem comes down to the fact that Christianity makes supersessionary claims vis-à-vis Judaism which Judaism cannot accept any more than Christianity can accept the supersessionary claims Islam makes concerning it. In the military, this is not a serious problem because the mutually exclusive religious claims are made within voluntary religious communities. In the public schools, even the reciting of the Lord's Prayer or the Bible involves taking sides for or against the supersessionary claims. What is private and non-divisive in the military becomes public and divisive in the public school system.

Such considerations are of great importance to Jews because they want to participate as equals in American public life. Their historical experience has taught them that only when government is more or less neutral in religious matters is the ideal of civic equality likely to be achieved. Obviously, such equality will not be perfect. America was founded by Protestants and remains very largely culturally Protestant. Nevertheless, even the imperfect American approximation of equality has proven far more equitable than what is to be found elsewhere in the world.

Another difficulty in achieving a consensus on religion in public life is the fact that Will Herberg's tripartite description of American religious life as Protestant, Catholic, and Jewish no longer fits American religious reality. When Herberg's book, *Protestant, Catholic, Jew,* was published in 1955, the mainline denominations, the denominations most committed to interfaith dialogue and ecumenical consensus, were dominant within Protestantism. This is no longer the case. Millions of premillennial dispensationalists, fundamentalists, and pentecostals have achieved a measure of prestige and influence that Herberg could never have anticipated. These communities stress their exclusive religious claims and have little interest in ecumenical consensus. Moreover, the abortion controversy had yet to divide America. Similarly, American Judaism has changed radically since the fifties, with exclusivistic Orthodoxy far more influential today than ever before. In addition, there are now several million American Muslims and a growing number of American Buddhists. The religious needs of the latter communities cannot be met with Bible readings or nondenominational prayer.

Nevertheless, a completely secular school system is no longer a desirable option, if it ever was. When I wrote on church and state in 1964, there were far fewer single-parent families than today. In 1964, it was possible to suggest with some degree of confidence that religious training could best be left to the family. Unfortunately, the extraordinary rise in the number of single-parent families both above and below the poverty line has made it far less likely that the family can serve as the source of religious instruction for millions of young Americans.

If religion is completely absent from the training of millions of young Americans, it is bound to have a negative effect on their values. Religion is humanity's shield against anomie, that experience of absolute meaninglessness that dissolves all values, purpose, and hope. The absence of religion is already visible in the youth gangs, the drug culture, the family decay, the contempt for honest labor of too large a part of our population.

While religion is no panacea for all the ills afflicting America, the absence of religion contributes to the worsening moral situation. Nor do I wish to suggest that only the people at the lower end of the poverty scale are in need of greater religious involvement. Religious commitment has been one of the most powerful sources of behavioral discipline, literacy, learning, and a sense of vocation humanity has ever known. The ideal of a "wall of separation" between church and state cannot be used to foster an ever greater secularization of American life. Even that ideal, which Roger William espoused long before Thomas Jefferson, was rooted in profound religious commitment.

Those with adequate resources are in the process of solving the problem of religion and the school system by supporting their own schools. They should not be subject to the double taxation of supporting two school systems. Some formula for a tax rebate should be worked out for such parents in view of the fact that the burden on the public schools is lessened when their children attend private schools.

Nevertheless, the public schools will continue to educate a majority of America's young people. A way must be found to meet both the imperatives of a religiously pluralistic society and the religious needs of a growing number of Americans without any religious resources. Life is difficult enough for those in poverty without the further handicap of lack of contact with an institution capable of instilling values with which a person can achieve a heightened sense of discipline, dignity, and hope. Certainly Jews must appreciate how crucial was the role played by the synagogue in giving

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the immigrant generation the values that permitted it to take an honorable place in the United States.

I do not have any concrete suggestions concerning how these contradictory imperatives can be met. Perhaps one place to begin would be in dialogue between religious leaders concerning the role of the public schools in overcoming the absence of values in a secular society. The needs are so urgent that one hopes that at least the beginnings of a consensus can be reached. Without such a consensus, it is difficult to see how anything further can be done.

One thing is certain. Given the current crisis, the Jewish community cannot and should not bear the responsibility for excluding prayer or other expressions of religious life from the public schools.

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Lance J. Sussman

As best I can determine, most schoolchildren have two problems with the Pledge of Allegiance. First, they have only a limited idea of what it means. Second, they cannot pronounce several of its big words, especially "indivisible." This polysyllabic, anti-Confederate term often comes out as "invisible," a known and pronounceable word. Ironically, in the historical contest of American church-state debate, substituting "invisible" for "indivisible" actually makes a great deal of sense. For a large segment of the American population, keeping religion "invisible" in many sectors of the public arena is the key to preserving "[religious] liberty and [constitutional] justice for all."

Among the various religious as well as secular groups that advocate religious invisibility in American public life, few have been as consistent and as vigorous over the years as those based in the Jewish community. For American Jews, the disestablishment clause of the First Amendment which guarantees freedom *from* religion is at least as, if not more, important than the Constitution's promise of freedom *of* religion. A small minority, relentlessly persecuted over the centuries by both statist and theocratic regimes, American Jews in the vast majority view disestablishment as the basic foundation of their personal civil rights and Judaism's claim to legal equality in the United States. For American Jews, the benevolent neutrality of their country toward religion, i.e., "one nation under God," is acceptable and even welcome, so long as the American state does not, at any level of government, officially incorporate religion or a religion into its sphere of operation.

To some extent, American Jewish concern for religious invisibility in the public arena grows out of Jewish theology as well as Jewish history. Jewish invisibility might have grown out of Jewish powerlessness, but Judaic invisibility is all but a fundamental principle of the faith. The Jewish God is an invisible God. The second commandment, "You shall not make for yourself a sculptured image, or any likeness of what is in the heavens above, or on the earth below, or in the waters under the earth," has greatly restricted the role of symbolism in Jewish art. The incarnation in Judaism is not in the form of a human body but in the form of words. Unlike the cross, words are as powerful when heard but not seen as when they are heard and seen. Torah is an operant religious system; it is only an artifact in its most limited sense.

Several Jewish religious organizations, most notably Chabad-Lubavitch, a pietistic Brooklyn-based sect with a highly developed and zealous outreach program, are currently challenging the American Jewish consensus on public religious invisibility. The Hanukkah menorah, they argue, is not a religious symbol but a cultural artifact. Thus, Lubavitch can claim, rather disingenuously, that they are not raising church-state issues at all. Rather, they would have us believe that their claims are based on "freedom of speech" and not "freedom of religion."

To some extent, it seems to me that Chabad's American menorah campaign is also influenced by a variety of factors including the public nature of Judaism in Israel today as well as the more traditional Jewish religious hope of restoring Jews and Judaism to a "place" in history. In the last analysis, Lubavitch's menorah campaign is an expression of that organization's impatient mode of Jewish messianism and its triumphalist agenda and goal of seizing the mantle of religious leadership in the Jewish world today.

Although Chabad's menorah campaign is making some headway in the courts, the majority of American Jews continue to oppose Lubavitch's efforts to raise Jewish consciousness by placing menorot in public places as both profane and dangerous to Jewish interests in this country. Public menorot will not only breed private Christian resentment, many American Jews are saying, but they will undoubtedly open the door to the establishment of the faith of the majority, Christianity, as the official religion of the United States. For most American Jews, a national Christmas tree is wrong but tolerable, while the prospect of a compensatory national menorah is absolutely frightening. The majority of American Jews are convinced that public menorot will lead to either an anti-Semitic popular backlash or a legal precedent for establishing Christianity as the religion of the land, or to both.

While court cases over public menorot grab headlines, the deeper and more widespread church-state concerns of American Jews involve the place of religion in public schools. For about a century now, no other issue in American Jewish life has evoked as much emotion and energy at the local level as has the struggle to keep religion

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out of their children's schools. On school boards, at PTA meetings, and in private conversations with teachers and administrators, American Jews seem to be saying, "We will not let you do anything to the school environment that will redefine us without a fight."

Some compromises, however, are acceptable to American Jewish parents today. Winter (instead of Christmas) programs, which have the flavor of the season but little or no religious content, are viewed as "kosher." "Our kids can participate," the logic goes, "their kids won't notice the difference."

A less than optimal and still agreeable scenario involves the inclusion of Hanukkah cookies at a class party or even a Hanukkah song at the school's chorus program—usually a previously unknown and completely forgettable musical composition—which, of course, emphasizes the ancient Maccabees' struggle for freedom of religion. Cookies and songs, however, are the limits of compensatory Jewish religious visibility in public space today for the vast majority of American Jews.

Despite the activities of Chabad and allied Jewish organizations, I detect no movement away from a focused and narrow reading of the First Amendment's guarantee of freedom *from* religion in the mainstream of contemporary American Jewish society. Nor do I see any awareness among American Jews of the irony inherent in religiously identifiable groups arguing against the place of religion in public life. Indeed, the opposite is still true. The majority of American Jews actually expect and sometimes demand that their rabbis give religious sanction to keeping America secular. Their argument is not that of Isaac Backus and other colonial Baptists who wanted to keep religion out of the public arena in order to keep true religion safe from the pernicious influence of government. Rather, they are interested in protecting the security of their ethnic group and continue to maintain, often with great vehemence, that eternal religious invisibility in our public places is the "price of liberty."

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Hadley Arkes

Many years ago I heard an interview on radio with a Unitarian minister who was trying to explain the tenets of his church. "Let me put it this way," he said to the interviewer. "The only time the words 'Jesus Christ' are heard in our church is when the janitor falls down the stairs."

American Jews have hardly been more sluggish in traveling the path of modernity and emancipating themselves from the texts and fables that were fashioned for more primitive minds in those days before religion became theology. Most of the people in America who count themselves as Jewish are content these days to live lives, shall we say, that are not overburdened with theology. They come together to mark the Jewish calendar, they preserve the memory of the Holocaust and the worst trials of our people, and they are prepared to be summoned at any moment to the defense of Israel. Their life as a Jewish community is consecrated to the preservation of a Jewish people.

But the meaning of a Jewish people is increasingly detached from any notion of a people that finds its character in a covenant with God or a dedication to His laws. In fact, any serious discussion about God or matters theological is often regarded as rather indecorous and unsettling. In my own community, in a congregation filled with academics, it has ever been easier to bring people together in working on a Jewish cookbook than in considering the theses or the doctrinal points that define the Jewishness of the congregation.

A dozen years ago, in a national meeting of the American Jewish Committee, I made the case for restraining a band of Nazis from marching through a Jewish community in Skokie, Illinois. The response I received that morning was buoyant and confirming, and yet the American Jewish Community finally backed away from the project of restraining the Nazis. The reasons were evident in the meeting and in the responses of Jews throughout the country: There were, in Skokie, many survivors of the Holocaust, but the passion for protecting those survivors was overborne by a deeper uneasiness over the prospect of restricting political speech. The concern to protect "our own" was modified or translated into the sense of a Jewish stake in the First Amendment. But this fastidiousness has not prevented American Jews from going to the rescue of other groups, to protect them from the symbols of assault. The same large-souled people who would not restrain the brandishing of swastikas apparently have no trouble in sustaining prosecutions for the burning of crosses—or even for using injunctions and restraining thugs in advance from the burning of crosses.

In the transfiguration of Judaism in America, it is the First Amendment and the Constitution that have become "our own." And we seem to have made them our own more than any other group; for more than any other group, we seem more earnestly concerned about injuries to the Constitution than injuries to our own people. Other groups may not experience the same conflict because they do not read the Constitution in the same way—in the way, for example, that makes no moral discrimination among the kinds of speech or the kinds of political factions that the Constitution was meant to protect. From the public face of American Judaism, we would infer that for many American Jews, the Constitution has become incorporated in the character of Judaism as a source of principles that may even override the texts of the Pentateuch.

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But not, of course, the Constitution in its original texts—not the Constitution that offered protections for slavery and no votes for women—and not even the understanding of natural rights and "self-evident" moral truths that underlay the Constitution. What has become authoritative is the Constitution in its most modern, *liberal* rendering, and the most liberal rendering of all is the rendition that accords with the agenda of political liberalism.

After all, what is one to make of the passages that fill that embarrassing book of Deuteronomy:

> Then Sihon came out against us, he and all his people, unto battle at Jahaz. And the Lord our God delivered him up before us; and we smote him, and his sons, and all his people. And we took all his cities at that time, and utterly destroyed every city, the men, and the women, and the little ones; we left none remaining. (Deuteronomy 2:32-34)

Passages of this kind we decorously put aside as no longer consistent with what are called "Jewish values." And from what are those "values" drawn, those values that reject the notion of visiting punishment and death upon people without making discriminations between the innocent and guilty? Apparently, those "values" are drawn from a moral understanding, cultivated over centuries, and from a tradition of reflection that has been affected by Christianity and the Enlightenment.

The Constitution is preeminently the product of that tradition; but the liberal rendering of the Constitution marks an "advance"—a further radical step which has a more recent beginning. The training school of liberalism is now in the schools of law, and for liberal jurisprudence the new age in the law begins in 1965 with *Griswold v. Connecticut*, the decision on contraception and privacy, the decision that prepared the ground for *Roe v. Wade* and the "right to an abortion." Those decisions are now taken as the touchstone for liberal jurisprudence. As one professor was heard to remark, no theory of jurisprudence that gives the "wrong" result in *Roe v. Wade* could possibly be a valid theory of the law.

If the Constitution has become more authoritative than the Bible for many Jews and if the Constitution has become identified with the liberalism of the left, the defining issue for the politics and jurisprudence of liberalism has become the issue of abortion. That point became clear beyond cavil with the hearings over Robert Bork. The Democrats had lost their constituency for redistribution and an expansion of the welfare state. The Democrats had become the party of the courts; their mission now was simply to protect the courts as the judges imposed policies on abortion, busing, and the environment that could not gather support at the polls. What was at stake in the Bork hearings was the defense of *Roe v. Wade*—and how else to account for the interest of the American Jewish Committee in taking a position on this nomination to the Court? What distinctly Jewish interests were engaged in the appointment of Robert Bork?

The teachings of Jewish law have been set quite emphatically in opposition to abortion. On that point, the Orthodox have never suffered serious doubts, even though Jewish teaching has been far more equivocal and far more shaded with stray confusions than the teachings of Catholicism on this matter. Hence, the curious persistence of those assertions in the Talmud that the embryo in the first forty days is "mere liquid," and that the embryo does not form until forty days. But these passages may be dismissed more readily by grown-ups who understand that the science of embryology has moved now well beyond the level of Aristotle's biology. Of more lingering mischief is the kind of teaching found, say, in Nachmanides: that a fetus attached to the mother is not yet a life with a standing of its own, with a claim to be protected by the law because the child is not self-sufficient. That ancient mistake of moral reasoning seems to claim a more enduring credulity.

Still, as I say, the teaching of Jewish law has been set mainly, strongly, in opposition to the killing of unborn children, just as it has been set in opposition to euthanasia. But now, of course, the "privacy interest" in abortion has been made the ground for new claims of rights—to end the lives of aged, infirm patients and to withdraw medical care from newborn, retarded infants. In each of these instances, the same moral premises are engaged and the same parties understand that the defense of *Roe v. Wade* is at stake.

And so each case rounds up the usual suspects: the same advocacy groups, the same facile lawyers from the ACLU, the same clusters of doctors and ministers. Each of these delegations finds a prominent Jewish presence in offering the brief and fueling the movement, and we can expect that these positions too will soon gather support among Jewish civic organizations. But the movement is sufficiently advanced already to make the point. The Jewish presence in our politics has now been associated with moral ends that find little tethering in the documents and the traditions distinct to Judaism, and the defense of Jewish interests is waged now in the name of policies that may be utterly at odds with the commands of Jewish law.

In my own congregation in Amherst (or the congregation that used to be mine), I discovered years ago one forbidden subject. I was often invited to speak to the congregation on questions of affirmative action or any other matter of public interest. But it became clear that I could not speak on the question of abortion without straining the community and dividing the congregation. Out of prudence, I held back, but the understanding seemed to settle upon me: that the price of my membership in the congregation was to preserve my silence in the synagogue on the issue that I regarded, more surely with each passing year, as the gravest question of moral

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consequence before us. That unease would not be felt within every Jewish congregation. But it marks the tension that puts some of us in an adversary position right now to understandings that fix—unmistakably and unbendingly—the Jewish community in America.

The report was offered to me of a Catholic friend who was measuring, quite soberly, the depth of ignorance as large numbers of Catholics were going untutored in the teachings of their own religion. "Half of the Church is in heresy," he said, "and the other half do not know enough to know it." The melancholy commentary that may be offered now on the state of Jewish understanding in America is that we might count it as a notable advance if we could attain even this condition, the condition that is counted among our Catholic friends as a grievous misfortune.

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Matthew Berke

Separation of church and state has been a good policy for Americans generally and for American Jews in particular. I include in that judgment at least some of the decisions by the U.S. Supreme Court in the past five decades, such as the banning of common prayer in public schools. That said, I must add that I have grown increasingly uneasy over the years with the absolutist position concerning religion and public life, i.e., the "strict separationism" held by many Americans, including a large number (probably a majority) of Jews. On this account, the public realm is supposed to be totally "neutral" with respect to religion; religious language is taboo in public discourse, likewise for religious symbols on public property; and public education and government policy are required to be impartial not only between religions, but also between religion and irreligion.

This sort of separationism, it now seems to me, is involved in practical and theoretical contradictions that have made it intellectually untenable or, at minimum, highly problematic. While it may seek (in its sincere expressions) only neutrality toward religion, strict separationism in fact evidences a certain hostility toward religion—the effect of which is to deprive society of necessary moral and spiritual resources, to misinterpret and misrepresent the history of our culture, and to provoke anger and resentment among those who never consented to make our public life a "secular" enterprise.

I believe that Jews, like all other American citizens, suffer from the unhappy consequences of a "naked public square." At the same time, I recognize that Jews are understandably wary about the potential for discrimination by the Christian majority in a theologized public square. At the moment, however, it seems to me that between the Scylla of atheism and the Charybdis of theocracy, we are steering too close to the whirlpool of atheism and nihilism; that is now the greater threat to Jewish values and life in America.

I do not presume to have a set of policy prescriptions or legal briefs for bringing some ideal type or measure of religion into public life. I am loath to see a rush of religious "enthusiasm" and zealotry in public affairs, and in part for this reason I hope that rational, civil, and decorous expressions of the religious sensibility would be allowed greater compass in public affairs and discourse. The concerns and misgivings expressed here are only tentative first thoughts, representing part of a potential agenda for Jewish leaders and organizations to consider, possibly in a dialogue that might be initiated with sympathetic Christian leaders and organizations.

Everyone seems to agree, for instance, that there is a moral crisis among the nation's youth: an epidemic of crime, drugs, sexual immorality, and out-of-wedlock births. On a less urgent but still important level, it is recognized that there has been a general decline in manners, achievement, and ambition. In short, the moral crisis of today's youth is about corruption of character and loss of values. Comprehensive secularism has not led to "sweetness and light," but to a howling wilderness of the spirit and psyche. This crisis surely represents a threat to American society at large, and to the Jews in particular, since, as an ethnic and religious minority, we are likely to become victims when civilization gives way to barbarism.

Beyond the common acknowledgement of the existence of a crisis, there is a widespread sense (among Jews as well as non-Jews) that America's schools should "do something" to remedy the situation—usually that schools should start teaching values again. Yet it seems to me that public schools are singularly ill-equipped for this task. In the first place, ethical instruction in public schools must necessarily be administered from a purely "secular" standpoint—that is, without reference to religious belief or authority. The theoretical problem with this, one which has been insufficiently appreciated, is that secular does not represent neutral. Though many of the specific precepts of secular moral instruction may not contradict religious teaching, the overall idea of moral education abstracted from the complex of life, including its religious dimension, *does* contradict most religious traditions, at least when these traditions are taken seriously. To compel pupils to receive moral instruction from some artificial secular standpoint seems to me to be a violation of conscience prohibited by the Free Exercise Clause of the First Amendment.

Besides being unconstitutional and unfair, such instruction also runs into a practical difficulty: i.e., it tends to be vacuous and ineffective. It is true that morality can be taught without reference to religion insofar as

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ethical precepts can be stated without reference to their theological basis. However the real process of character formation involves not merely an absorption of precepts, but also the general orientation of the soul in which the ethical life is integrated with "the good life" in its broadest sense, so that morality becomes a matter of aspiration as well as exhortation. For an ethical consciousness to take hold it must be a vital part of life; this truth is neatly expressed in Matthew Arnold's summary of the ethical value of religion as "morality lighted by emotion." For the vital integration of morality, reason, and emotion to occur, it is necessary to appeal at the deepest level of conscience and aspiration, and to a person's ultimate sense of reality—all areas that are off-limits to the state, including state schools.

If we are truly serious about values and moral instruction, there are some steps that might help. We could establish in public policy the use of vouchers or tax credits for parents sending their children to religiously affiliated schools where serious moral education can take place. Within the existing public school framework, it might be helpful to expand the use of, and loosen restrictions surrounding, the practice of "release time" in which students may voluntarily receive religiously based moral instruction from clergy of their choice. How this might be accomplished without being disruptive and divisive poses very serious problems, and dealing with them is a task of enormous importance. For if, in fact, we want public schools to facilitate moral education, *true* separationism requires that the state defer to the religious institutions in matters of conscience and internal motivation. The hegemony of a generic account of ethics and conscience should be resisted as vigorously as the establishment of an explicitly theological account.

Insofar as government can legitimately facilitate moral education, it should *not* make direct money payments to churches and synagogues, nor should it grant anything like establishment status to any sect or family of faiths. However, it seems to me right and proper that public institutions, schools in particular, make a habit of acknowledging (rather than usurping) religion's role in character formation and moral instruction. Such acknowledgement is important because lessons and ideas usually become ingrained when people find them confirmed by a variety of authoritative sources. This is why, for instance, it is so important for children to feel the authority of two parents rather than one whenever possible—plus teachers, clergy, community leaders, etc. Given this need for multiple confirmation, what can our youth think when religious perspectives alone are excluded from the otherwise raucous pluralism in their schools? And the public school is hardly the only institution that practices a stony silence and indifference (if not hostility) toward religion. The unique isolation of religion among American institutions seems to me a perversion of nonestablishment and separationist doctrine.

Along similar lines, it might be wise for the social philosophy of American Jews to accommodate itself to more public use of religious symbols and language. I confess to a degree of trepidation here, but it does not seem to me that the presence of crèches and Christmas trees on public grounds, or the singing of Christmas carols in school programs, represents in all cases a threat to Jewish citizens or a diminution of their religion in relation to Christianity—especially in those communities and schools that are attentive to Jewish feelings and display Jewish symbols as well. The point is, we are a society that goes to great pains to recover its various "roots" and to celebrate the contributions of women and minorities and ethnic groups and professions. In all fairness, we must find a way to recognize and affirm the Christian tradition as part, indeed the major formative part, of the general inheritance that we call Western Civilization.

Jews can come to a realization of this imperative by self-regarding prudence or by intellectual honesty and justice. By the logic of the former, we should not offend our Christian neighbors when we need to cultivate as much goodwill as possible for the common good of our own society and also for the sake of Israel. In any case, it seems imprudent for a tiny minority (2 to 3 percent of the population at most) to have such a highly conspicuous cadre of strict separationists in powerful positions, playing the role of the Grinch at Christmas time by swooping down and eliminating holiday decorations.

That is a simple consideration of prudence. A more lofty and idealistic one is that most of us, as Jews, hardly know ourselves or have a sense of Judaism that is not in some way tied up with our experience as cultured members of Western Civilization, which is Christianized not only in an explicit religious sense but also in the pathos and longing of its secular consciousness, as exemplified in its literature and art. Liberal democracy, humanism, even (ironically) the separation of church and state—all emerged from the matrix of a self-consciously Christian civilization. Jews have been able to respond enthusiastically to these cultural and political developments, in part at least, because they resonate with our own traditions and hopes. The Jewish embrace of, and contribution to, Western culture is testimony to a shared inheritance and spirit between Jews and Christians (even if there is not a Judeo-Christian tradition in the strict sense). If this Christian civilization has been involved in all manner of "crimes, follies, and misfortunes," including terrible atrocities against Jews, it has also nourished Jewish life, a fact that can be seen by comparing the intellectual and religious development of European Jews with that of Jews in the Muslim lands of North Africa and Arabia.

I do not pretend to have answered every possible objection that might be raised to my suggestions. I do think, though, that we must as Jews begin to think about these questions free of a reflexive, often false, separationism. To a degree that would have been unimaginable

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years ago, it is possible for Jews and Christians to have meaningful dialogue with real possibilities for mutual understanding and accord. We must try harder than in the past to understand the perspectives and needs of the non-Jewish (principally Christian) majority. But before engaging in serious dialogue with others, we must first reevaluate our interests and ideas among ourselves.

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Alan Mittleman

The Zionist thinker Ahad Ha'am distinguished between the "problem of the Jews" and the "problem of Judaism." Political Zionism—the attempt to secure a homeland through diplomatic means for oppressed Jewry—aimed solely, in Ahad Ha'am's view, at a solution of the problem of the Jews. The broader, and to him more insistent, issue was the vitality of Jewish tradition, spiritual life, and culture, that is, the problem of Judaism. For Ahad Ha'am, the religious-cultural question had to come first. Without a great renascence of Jewish spirit and communal life, neither political activity as such nor the ends it might achieve could be sustained.

I find the distinction between the problem of Judaism and the problem of the Jews serviceable for the present discussion. As I reflect on how my views about the relation of religion and public life have changed, I find that I have grown more concerned about the problem of American Judaism and less worried about the problem of American Jews. By the latter term I mean the concern to sustain an open society in which Jews suffer no discrimination simply because they are Jews. By the problem of Judaism I mean concern for the kind and quality of Jewish life which Jews in fact lead in the open society.

Most Jewish considerations of the nexus of religion and public life are fixated on the problem of the Jews. Will diversity be compromised or openness diminished by the "intrusion" of religious values into public life? Will Jews become second-class citizens in a more publicly Christian society?

These are the typical Jewish questions. Yet other questions, I believe, ought to be asked. What kind of religious life is correlated with the judgment that public affairs ought to be wholly separate from religious values? Is it true, as Jewish spokesmen often argue, that public secularity almost miraculously supports private religious intensity? Or is it the case that public secularity begets, reflexively, the secularization of religious communities which advocate a secularizing strategy? In my view, this is precisely what has happened to Judaism in America.

A strategy of uncompromising secularization directed toward the public realm has become a defining condition of the internal Jewish world. Consequently, a renewal of Jewish life requires a fresh consideration of the connections between religion and public affairs. The renewal of Jewish life and the reappraisal of Jewish social thought are closely correlated.

How has the problem of Judaism developed? Judaism is not a sectarian or otherworldly religion. While always a religion of the study hall, it is also a religion of marketplaces, courts, and operating rooms. Since the Emancipation, when Jews gave up whatever communal autonomy was left to them in favor of citizenship rights in modern states, these applications of Judaism have withered into academic topics. Even in Israel, the applicability of traditional Jewish approaches to public matters remains quite limited. Judaism, however, resists confessionalization. While some extreme versions of Reform in Germany and the U.S. did precisely that, most Jews compensated for the loss of a public dimension by embracing modern, surrogate forms of historical action such as Zionism and liberalism.

These concerns point in rather different directions. Zionism is survivalist. Liberalism is universalist. The one asserts the primacy of action for the Jewish good. The other appeals to considerations of the common good. Yet both amount phenomenologically to a Jewish public discourse. Both compensate for the loss of a once all-encompassing Jewish world by providing a rationale for action in history and a self-definition of the Jew as an active, political being. Both, in a sense, have become Judaism.

Judaism in America has become a religion, as Jonathan Woocher put it, of "sacred survival" on the one hand and, I would add, social gospel on the other. Judaism has become the civil religion of an American minority. The periphery has become the center. Values of tolerance, pluralism, fairness, equal rights, and so on have come to be located at the core. Not that these very agreeable values could not have been found to some extent at the core all along. They could have been and were. Rather, there is an artifice and disingenuousness about the process of their valorization. Jewish organizations, for example, antecedently convinced of a woman's right to abortion have combed Jewish sources for proof texts and then displayed the results as evidence of Judaism's defense of abortion rights. Indeed, Jewish law supports abortion in some (fairly restricted) cases. That is not the point. What is at issue is the meretricious or—more charitably—pathetic nature of the exercise.

I do not take issue here with where the process winds up, but with where it begins. If American Jews had a genuine public philosophy, they would not have to be reduced to adventitious proof-texting. Their consciences would be formed by their subtle and ramified legal tradition. They would argue for the applicability of that tradition to the common good in an appropriately public manner, as the Catholic bishops have tried to do. Instead, they imitate the progressive, yet apodictic pronouncements of Protestant church bodies. Elevated, self-assured moralism substitutes for disciplined argument. And what is said is no different from what might have been said

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by others. Whatever is distinctive about Judaism has been left out of account either because it does not accord with the liberal consensus or because Jews lack a public philosophy of adequate complexity to mediate the values of their tradition to the culture at large. The result is not a lively tension between a distinctive Judaism and the public realm, but a redundant repetition by Jews of the culture's (liberal) common sense.

I have argued that the quality and credibility of Judaism is in some sense inseparable from Judaism's engagement with public questions. Because the mode of that engagement heretofore has been dictated by imperatives from the general culture rather than Jewish tradition, Judaism has acquired the cast of a civil religion. Renewal requires that authentic Jewish perspectives be allowed to penetrate our thinking about public matters. As I want to see other groups engage in their own renewal, I welcome their involvement in public discourse. I do not see how authenticity—or simple self-respect—permits anything less.

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She Turned to Me

She turned to me one night as if to say:
"I know." And though I waited for her words as we
Walked along the outside path of cobblestones
And grass, her eyes instead made effort to
Explain her inner thoughts and fears.
Pain, I knew she'd meant to share aloud,
Had now the briefest moment stopped her mouth.
And as if in protest of this sudden lapse,
Her face made plain the meaning now
And led her hand to reach for mine.
Once touched, her words then followed
As though she broke a spell. "But time," she said,
"Makes worse the grief once suffered. Don't you think?"

I nodded only, likewise wordless
Before the honest question of her gaze.
Death was less a stranger to her life than mine.
It left with her the mark of wisdom without age.
Such was our sometime conversation when last I saw my friend.

At first time's meeting, only envy did I know
For others there had held her hands before,
As friends, as suitors or special relatives.
But my belated presence was an awkward one,
Seeming out of place, and knowing only
Welcome through her undivided patience
When she agreed to meet alone.
Then she seemed to ease her voice
As though she knew she could relax.
But if this she ever said, then my words are
Wasted breath, for despite my protestations
No love she ever *spoke*, but showed instead in silent ways.
And I alas, knew not because my eyes
Were blind, my ears were deaf with pride.
But I may as well have lost my sight
To have missed what she bespoke in deed and smile.
Months gone by, alone I dwell and sit before my paper
And my pen. I try to say I knew, I really knew.
She always had.

John Farrell

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The Churches & War in the Gulf

George Weigel

About the public debate preceding Operation Desert Storm, two things may be said with some confidence.

First, there has rarely been such a sustained (and in many respects impressive) public grappling with the moral criteria and political logic of the just war tradition. Administration officials, members of Congress, senior military officers, columnists, talk-show hosts, and ordinary citizens debated the goals and instruments of U.S. Gulf policy in such classic just war terms as "just cause," "competent authority," "probability of success," "last resort," "proportionality" (of ends and of means to ends), and "discrimination" (between combatants and noncombatants).

Nor did the public debate restrict itself to these familiar criteria of the *ius ad bellum* (what William V. O'Brien once called "war-decision law") and the *ius in bello* (O'Brien's "war-conduct law"). For, viewed from one angle, the entire debate was also an attempt to clarify the key issues of the *ius ad pacem* that is contained in the intellectual trajectory and interstices of the just war tradition: What kind of peace can be sought in this world? How, and under what political and military circumstances, can the proportionate and discriminate use of armed force serve the ends of peace, which include security, freedom, justice, and order?

Those who listened carefully to this five-month-long public argument could hear, woven throughout it, the conviction that "war" and "peace" do not exist in hermetically sealed compartments but are parts of one human universe of discourse, a universe that is at one and the same time "political" and "moral." It was, in short, a heartening debate for those concerned with the health of public moral discourse in the United States, and for those who had long argued that the just war tradition was alive and well in the American body politic.

The second truth about the debate is, alas, a far less happy one. For precisely at the time when the country was engaged in a profound moral argument about the use of American power in the world—indeed, in a profound moral argument about the shape of world politics in the post-Cold War world—much of the formal religious leadership of the country, and particularly the leadership of oldline Protestantism and the Roman Catholic Church, abdicated its teaching responsibilities and showed itself incapable of providing the kind of public moral leadership it had traditionally exercised in American society.

Indeed, one can go even further. The debate over the Gulf crisis marked the point at which the Christian Realism expounded by Reinhold Niebuhr and Paul Ramsey was definitively abandoned by the oldline leadership and its ecumenical agency, the National Council of Churches. And in its place was substituted a curdled hash composed in part of unvarnished *Tercermundismo* and in part by a neo-isolationist version of precisely that liberal Protestant sentimentality against which Niebuhr and Ramsey had inveighed: now, it appears, to little effect, insofar as the liberal Protestant leadership is concerned.

But in the circumstances in which one expects they are now resident, Niebuhr and Ramsey were quite probably not alone in wondering what in the world (so to speak) was going on. For their Catholic analogue, John Courtney Murray, could take little satisfaction from the performance of the episcopal leaders of American Catholicism who, during the Gulf crisis, did little to vindicate Murray's claim that theirs were the hands into which the faltering torch of Christian Realism would be passed.

To be sure, the religious debate over the Gulf crisis had its amusing moments, if one's sense of humor is sufficiently spiced with a sense of irony. *Sojourners*,

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scourge of American capitalism and the flagship magazine of *soi disant* "radical biblical Christianity," made the Gulf debate the occasion for some opportunistic fundraising: "Many peace and justice organizations have experienced lean times lately with the ending of the Cold War," according to *Sojourners*. "The war fever in the Persian Gulf demonstrates that, unfortunately, peacemaking will never be out of style. Send a check today!" Not to be outdone in the category of general tawdriness was "Network," the self-styled "national Catholic social justice lobby," whose coordinator, Sister Nancy Sylvester, began a fundraising letter in these lurid terms: "Dear Friend, As I write this letter, war in the Persian Gulf threatens to tear our world apart . . ."—which evil happenstance could, evidently, be avoided by joining Sister Nancy's lobbying organization and supporting its work "for a fundamental reordering of our national priorities." It hardly needs be added that Network's sense of our "national priorities" is indistinguishable from that of the Rainbow Coalition.

But this was mere froth. What was churning beneath the surface were a host of dubious moral and political assumptions that had, over the past twenty-five years, achieved a kind of *de fide* status in the oldline churches and in a considerable segment of the Catholic leadership. A review of the literature suggests just what those assumptions were, and illustrates the extraordinary grip they have on the religious leaders who, against virtually all the empirical evidence, continue to proclaim them as something approaching self-evident truths.

II

For an organization like the National Council of Churches, whose pitiful decline had been described less than two years earlier by its own former general secretary as a passage from the mainline to the oldline to the sideline, the Gulf crisis may have seemed a Godsend. Here, at last, was the opportunity to recoup the losses of the 1980s, and to regain the leadership position that had been severely eroded by years of demographic decline, financial mismanagement, and the dramatic falsification of the NCC worldview by the Revolution of 1989, the ouster of the Sandinistas in Nicaragua, and the democratic/capitalist revolution that seemed to be sweeping the world. Attention, it must have seemed, would be paid, as indeed it was, by journalists who were either too ignorant or too committed to the NCC's politics to challenge its spurious claim that the Council represented some 42 million Americans (fully 65 percent of whom, it can safely be assumed, rejected the NCC's Gulf politics).

But in fact what the NCC demonstrated, in a veritable blizzard of "messages," "resolutions," and faxes to the President, and in a highly publicized "Church Leaders' Peace Pilgrimage to the Middle East" (staged just before Christmas on December 14-21, 1990), was how utterly beholden it remained to the politics of blaming America first, and how little it had to offer to serious moral debate about the ends and means of U.S. policy in the Persian Gulf.

As early as September 14, 1990, the NCC's Executive Coordinating Committee was critical of the deployment of U.S. forces to the Gulf which, according to the NCC, raised the spectre of "Vietnam." The Executive Coordinating Committee did condemn the Iraqi invasion and occupation of Kuwait, and applauded the way in which the Bush administration had used the United Nations. But the gravamen of the NCC's concerns, at this early date, clearly had to do with the possible use of American military power in the Gulf—a point that was driven home in no uncertain terms two months later when the General Board of the NCC adopted a "Message on the Gulf and Middle East Crisis" that fairly bristled with resentment over the continued build-up of U.S. forces in the Gulf.

The Bush administration, according to the Message, was guilty of "reckless rhetoric" and "imprudent behavior" that had led to "widespread speculation in our country, in the Middle East, and elsewhere that the United States will initiate war." In the face of such provocations, the NCC felt compelled to "unequivocally . . . oppose actions that could have such dire consequences." But the NCC was not content with warnings against the "militarization" of the conflict. The itch to play geopolitician proving irresistible, the Council went on to urge effective linkage between the Iraqi occupation of Kuwait and Israel's position in the Occupied Territories (which, it will be remembered, was precisely Saddam Hussein's proposal at the time). Indeed, if one extrapolated Saddam Hussein's intentions from the NCC's descriptions of the realities of the Middle East, the Iraqi dictator invaded and occupied Kuwait in order to help the Palestinians—a proposition that would be risible if it weren't so desperately and tragically wrong-headed.

The November 15 Message concluded by making a dichotomy between "a new era of international cooperation under the rule of law" and "rule based upon superior power" (as if the rule of law in international affairs could be enforced by good will alone). But, its political foolishness aside, what was so striking about the NCC Message was its sheer poverty as a moral reflection. The document contained two brief biblical citations, and its opening section was headlined "theological and moral imperatives." But there was no theology here, in any recognizable sense of the term. Just war criteria—as principles of statecraft, and as bases for assessing the morality of the possible use of armed force in the Gulf—were singularly and glaringly absent from the NCC's analysis. But neither was the Message rooted in principled pacifism. It simply lacked any serious moral content at all, substituting for moral analysis a

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tendentious and myopic reading of Middle Eastern politics, coupled with the hoary charge that it was American power that was most to be feared in the region. (Even this failed to satisfy United Methodist Bishop Melvin Talbert of San Francisco, chairman of the NCC committee that drafted the resolution accompanying the Message, who urged his fellow bishops in California and Nevada to speak out against "U.S. aggression in the region." President Bush, according to Talbert, was the "real aggressor" in the Gulf, and represented an America that hadn't "learned anything from Vietnam and Korea.")

A month later, in the week before Christmas, the NCC's staff coordinated its Pilgrimage to the Middle East. The statement "to the American people" released by the eighteen oldline and Orthodox leaders who participated in this classic political pilgrimage ratcheted up the rhetoric of the Message more than a few notches. The resort to armed force by the U.S. in the Gulf "would be politically and morally indefensible." (Note the sequence of concerns.) "It is entirely possible that war in the Middle East will destroy everything." (Everything?) The "war option" would yield "certain catastrophe." (The "peace pilgrims" couldn't even get the basic facts straight: according to their message, Jordan was led by a "compassionate" and "democratic" government.)

And the alternative to the "war option"? It lay, according to the pilgrims, in "citizen action and the strength of public opinion," which could "literally make possible a solution to this crisis without war." *How* was not specified.

One cannot know with certainty the motivations of the denominational leaders and others who participated in this alleged peace pilgrimage. But what can be said with assurance is that its effect, given the content of the post-pilgrimage message and what can be inferred from that message about the politics of those involved, was to reinforce Saddam Hussein's view that the force of public opinion could be used to compel the United States and its allies to stand down from their commitments to Iraq's unconditional withdrawal from Kuwait. The "Church Leaders' Peace Pilgrimage" was, in short, nothing of the sort. It was, rather, a grotesquely irresponsible action that arguably made a military confrontation more likely in the Gulf.

Finally, on January 15, 1991, the day that the UN resolutions had specified as the absolute deadline for Iraqi withdrawal from Kuwait, the NCC coordinated a fax letter to President Bush from thirty-two heads of denominations and ecumenical organizations that urged the President, "Do not lead our nation into this abyss," for once begun, "it is unlikely that this battle can be contained in either scope, intensity, or time." Moreover, the "sacrifice" which Bush seemed prepared to make "is out of proportion to any conceivable gain which might be achieved through military action."

No parallel request was made to Saddam Hussein, urging him to comply with the relevant UN resolutions. Indeed, throughout the five and a half months of the Gulf debate, between the invasion of Kuwait and the launching of Operation Desert Storm, the NCC was immeasurably more concerned about the possibility of the use of U.S. military force in the Persian Gulf than it was about resisting the aggression of Saddam Hussein. "War" would begin, and "peace" would end, when U.S. forces were engaged; it did not seem to occur to the officials of the NCC, or to the oldline denominational heads who aligned themselves with the NCC, that war had begun on August 2, 1990 with the Iraqi invasion of Kuwait. There was no "peace" in the Persian Gulf after August 2; but one would never have learned that from the NCC.

Moreover, for an organization that has not been loath to condemn human rights violations committed by regimes it regards with disfavor, the NCC was strikingly silent about the post-invasion rape of Kuwait, which included (according to Amnesty International) such refinements of social control as the bayoneting of pregnant women, the summary execution of children in front of their parents, and the abandonment to their deaths of infants torn from their hospital incubators. Nary a rubber bullet can be fired on the West Bank or in Gaza without the wrath of the NCC being engaged. But about the rape of Kuwait, a gruesome and odious business even by the debased standards of the neighborhood, the NCC was virtually silent.

Such moral obtuseness was of a piece with the NCC's puerile analysis of the politics of the Middle East. Time and again between August 1990 and January 1991, the NCC warned that any U.S. military action would inevitably inflame the Arab masses, would revive ancient cultural phobias about Western crusaders, and would yield an unbridgeable chasm between the United States and the Arab countries. Indeed, so deeply had the NCC drunk from this particular well of disinformation that it seemingly could not grasp the most elementary facts: that Saddam had in fact invaded another Arab country; that leading Arab powers such as Egypt and Saudi Arabia were allies of the United States, and moreover allies who could hardly wait for Saddam and his regime to be disposed of; that Saddam's Arab support, such as it was, came from such poor fish as Yemen, the PLO, and Libya. No, in the NCC's view of the world, it was "the Arabs against the United States"—which was, of course, precisely the view of the matter that Saddam Hussein was busily promoting.

For decades now, the NCC has urged that the United Nations be more regularly and effectively used as an instrument for dealing with international conflict. And yet it could not bring itself to accept the Security Council's judgment that January 15, 1991—a date some five and a half months after the Iraqi invasion of Kuwait—constituted a reasonable deadline for the unconditional withdrawal of Saddam Hussein's army of occupation, even after Saddam Hussein had crudely

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rebuffed UN Secretary General Javier Perez de Cuellar in his final attempt to get the Iraqis to abide by the resolutions of the Security Council. Since the NCC is not formally a pacifist organization, one can only conclude that its rejection of the UN position on the Gulf crisis had more than a little to do with the fact of American leadership on the Security Council and in the multilateral military force that would enforce the Security Council's resolutions.

The NCC's pusillanimity in the face of Saddam Hussein and its quick reach for "moral equivalence" between the United States and Iraq were not, of course, unexpected. Indeed, one of the great sadnesses in American religion today is the widespread expectation that the NCC will, on any given issue involving the United States and the world, further mortgage its already tattered claim to be any sort of moral mentor to the American body politic—not simply by what it says, but by the singular failure of its leadership to learn anything from the Council's errors of moral and political judgment over the past generation.

That case was put, interestingly enough, by a group of Czechoslovakian Christian activists who asked American Protestants to disregard the NCC's Gulf pronouncements. Said the Czechs to the Americans, "Your church representatives have underestimated the criminal nature of the Marxist regimes. Now they underestimate the criminal nature of the regime of Saddam Hussein. . . . We do not trust your church representatives who in the name of peace hamper the Gulf-area initiative of your president." It was a damning indictment, but like so many other such indictments in recent years, one fears that it will have no discernible effect on the leadership of the NCC.

There was one new player in the NCC's cast of political characters on the Gulf crisis, though: Jim Wallis, the editor of *Sojourners* magazine, and a twenty-year veteran of radical politics who now couches his judgments in terms of "prophetic" Christianity. Just prior to the NCC-coordinated Church Leaders' Peace Pilgrimage to the Middle East (in which he participated), Wallis circulated a memorandum (dated December 13) with his analysis of the Gulf crisis. Parts of that memorandum appeared, verbatim, eight days later in the "message to the American people" issued by the "church leaders" after they had putatively consulted with religious and political leaders in the region. This not only casts further doubt on the open-mindedness with which the church leaders undertook their "peace pilgrimage," but it also illustrates the important role that Wallis—who long ago transcended moral equivalence and is firmly lodged in the camp of those who blame America first and early—now plays at the higher altitudes of the NCC.

III

The formal response of the U.S. Catholic bishops to the Gulf crisis was of a higher caliber of moral reflection than could be found in the pronouncements of the NCC. Gulf politics had dominated debate at the bishops' annual meeting in November 1990, and out of that meeting had come two letters: one by Archbishop Roger Mahony (addressed to Secretary of State James Baker in Mahony's capacity as chairman of the bishops' committee on international policy), and a second from National Conference of Catholic Bishops' chairman Archbishop Daniel Pilarczyk (addressed to President Bush). Between the sending of these letters there occurred two vigorous debates, one in a closed executive session, in which the left wing of the bishops' conference, led by veteran Pax Christi activists such as Detroit auxiliary bishop Thomas Gumbleton, had pressed for an outright proscription on the use of U.S. military force in the Gulf. The body of bishops was not prepared to go as far as Gumbleton wished, and indeed the Mahony and Pilarczyk letters were explicitly couched in the just war language and style of moral reasoning that Pax Christi effectively rejects. But the net result was to yield an NCCB position that was widely, and not altogether inaccurately, reported by the prestige press as a Catholic rejection of Bush administration Gulf policy.

The bishops' position, as articulated in the Mahony and Pilarczyk letters and in subsequent testimony before the Senate Foreign Relations Committee by Archbishop John Roach (Mahony's successor as chairman of the committee on international policy), laid great stress on the efficacy of economic sanctions as a means to bring about Saddam Hussein's unconditional withdrawal from Kuwait—a position shared, of course, by a number of prominent political and military analysts, including former National Security Advisor Zbigniew Brzezinski and former Joint Chiefs chairman Admiral William Crowe. But there were two other dimensions to the sanctions issue, neither of which received sufficient attention in the bishops' letters and testimony.

On the empirical side of the affair, there was the devastating report issued by House Armed Services Committee chairman Les Aspin, which argued at great length and with considerable force that sanctions would never work—if by "work" one meant the unconditional withdrawal of Iraq from Kuwait and the disarmament of Iraq's vast arsenal of offensive weaponry. More to the point, the bishops' letters and testimony never engaged the *moral* dilemma of a sanctions policy, which lay in the fact that economic sanctions would be felt first and hardest by those whom the just war tradition requires us to treat as noncombatants (i.e., the ordinary people of Iraq, whom President Bush had insisted from August on were not our enemy) and last by those whom we were most concerned to sway—the military-political leadership of the Saddam Hussein regime. There was, in other words, a just war "problem" with the sanctions policy,

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and it went unacknowledged in the bishops' letters and testimony.

The Mahony and Pilarczyk letters and the Roach testimony also put great stress on the just war criterion of "last resort," as indeed they should have. But the bishops seemed to treat "last resort" as virtually an arithmetic concept, which is not the way the world, or the just war tradition, works. One could always imagine "just one more" non-military initiative that could be tried in a sequence that by definition is infinite in duration. No, what the tradition means by "last resort" is that all reasonable efforts at a non-military solution have been tried and have failed. In the face of Iraqi Foreign Minister Tariq Aziz's behavior in Geneva on January 9, and Saddam Hussein's rebuff of the Perez de Cuellar and French initiatives in the last hours before the UN deadline of January 15, it is difficult to argue with President Bush's judgment that all reasonable non-military remedies had been exhausted.

Both the Mahony and Pilarczyk letters and the Roach testimony put great stress on an alleged shift in U.S. policy in early November 1990, when American forces were enhanced so as to provide what the bishops persistently described as an "offensive" military capability in the Gulf. This, the bishops seemed to suggest, changed the moral calculus in some important way. And yet it is difficult to see how—unless one falls into the moral and political trap of assuming that "peace" prevailed in the Gulf between August 2, 1990 and January 16, 1991, the difference between "peace" and "war" being U.S. military engagement with Saddam's forces.

But this was palpably not the case, as President Bush said, simply and with great effect, in his address to the nation on the night of January 16. Military action to repel aggression, deter future aggression, and enforce international norms of conduct according to the authority of both the Security Council and the United States Congress does not constitute "offensive military action" in the sense that the U.S. was somehow initiating combat for aggressive ends. Saddam Hussein started the Gulf War on August 2, 1990. The remaining question (between August 2 and January 15) was whether the war could be ended on terms that met the criteria of the just war tradition as a moral calculus of statecraft and that satisfied Catholic understandings of a just peace through other-than-military means. It would have been helpful had the bishops acknowledged this.

The Catholic debate over Gulf policy beyond the confines of the NCCB and the United States Catholic Conference was depressingly reminiscent of the vacuities that marked the NCC's engagement with the issue. Pax Christi indulged in a classic bit of moral equivalence in a lengthy ad that it took out in the *National Catholic Reporter*, arguing that Bush administration Gulf policy "polarizes the region by demanding loyalty to one side or the other, rather than requiring that the world listen to both." (One wonders what Pax Christi thought it would hear from Saddam Hussein.) Nor did Pax Christi resist the temptation to use the Gulf crisis to plug other items on its ideological agenda: "This crisis is a painful reminder of our complicity in patterns of consumption to support a lifestyle that is fundamentally unjust and excessively wasteful. By our actions, we have shown that we are ready to kill and we are ready to die, but we are unwilling to curb our ecologically disastrous consumption habits."

The inadequate, albeit serious, statements of Archbishops Mahony, Pilarczyk, and Roach were subsequently vulgarized by individual bishops in the days immediately preceding the engagement of U.S. forces with Saddam Hussein's military machine, as may be seen in comments made by auxiliary bishop William Curlin of Washington, D.C., and Bishop Walter Sullivan of Richmond (the incoming president of Pax Christi). Bishop Curlin, in a homily delivered at the National Shrine of the Immaculate Conception on January 13, made the remarkable historical judgment that "there are no winners when wars are ended—there are only losers," and, noting America's continuing problems with homelessness, abortion, alcoholism, drug addiction, and racial injustice, asked, "Who are we to say we have the answers for justice in our world?" (According to the Curlin Rules, the United States should not have acted to resist fascist aggression in the 1940s, because there would only be losers in such a fray, because Jim Crow laws were on the books in dozens of states, and because the armed forces were officially segregated.) Bishop Sullivan, as is his periodic wont, took matters considerably further, suggesting that Catholics in the military consider disobeying orders to participate in this war "which the Catholic Church considers unjustified and immoral." That judgment had not, of course, been made in those precise terms—unless, of course, one is to consider as the teaching of "the Catholic Church" the construal of NCCB documents by the Bishop of Richmond.

Of far more concern for the future of the Catholic debate was the position taken by the Jesuit periodical *Civiltà Cattolica*, whose editorials are frequently vetted by the Vatican Secretariat of State and are thus often assumed to have quasi-official status. In its November 17 issue, the journal made a number of highly contingent judgments about modern warfare—that its "nature" has changed fundamentally; that noncombatant immunity is a thing of the past; that any war inevitably involves "not only two or more nations but directly or indirectly the planet"—and concluded that "war today, except in the case of defending oneself from a grave aggression underway, is morally unacceptable, whatever the reasons given for its justification."

Reports as to whether this editorial reflects official

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Vatican policy have varied, with some denying that it in fact carried the *imprimatur* of the Secretariat of State. Be that as it may, the editorial clearly identifies two critical points of friction between certain currents in contemporary Catholic thought and the evolving just war teaching of the Holy See. The first of these friction points has to do with the Catholic understanding of "just cause." Papal teaching since World War II has drawn the boundaries of "just cause" ever more narrowly, doubtless in part because of the threat of nuclear war in a world dominated by the Cold War. Yet in the post-Cold War world, inhabited as it is by such as Saddam Hussein, cannot one make the case—without opening the floodgates to Hobbes' war of all against all—for a revivification of the notion of "punishment for evil" as one of the legitimate components of a "just cause"? Surely the question is worth pursuing rather than dismissing out of hand.

Then there is the question of modern weapons technology and the just war tradition. The *Civiltà Cattolica* editorial, reflecting a widespread opinion in Catholic moral-theological circles, assumes that modern weaponry is inherently disproportionate and indiscriminate. And yet the extraordinary advances in precision targeting graphically illustrated by the performance of the Tomahawk cruise missile and U.S. "smart bombs" during the air campaign against Iraq (and particularly against Baghdad) suggest that the opposite may be closer to the truth: modern weapons technology makes "proportionate" and "discriminate" use of armed force far more likely than it was when Father John Ford, S.J., wrote his seminal 1944 essay, "On the Morality of Obliteration Bombing." At the very least, some reconsideration of the assumptions about modern weaponry that informed the *Civiltà Cattolica* editorial seems in order.

IV

The conclusion that almost certainly has to be drawn from the Protestant oldline and Catholic statements on the Gulf crisis is that the leadership of these two critical sectors of American Christianity is now functionally pacifist in its politics. This is not, it must be emphasized, a pacifism of moral principle. Rather it is a functional pacifism rooted, for many oldline leaders in particular, in a profound alienation from the American experiment and in a deep conviction that American power cannot serve good ends in the world. Indeed, I believe that the actions taken by the National Council of Churches and by the more radical wing of the Catholic leadership were grounded, not in a concern that American military action would fail, but in a deep fear that it would succeed. And were it to succeed, these men and women instinctively understood, that would be the end of "Vietnam"—the prism through which their politics had been focused for a generation, and the paradigm by which they had persistently read (which is to say, misread) the international politics of the 1970s and 1980s.

For here, after all, was a possible use of American military force that ought to have drawn the support of oldline and Catholic leaders, *and precisely in terms of their own professed principles and regional concerns*. A brutal dictator, armed to the teeth with offensive military capabilities and busily developing weapons of mass destruction (including those nuclear weapons that had so exercised religious leaders in the early 1980s) invades, occupies, and dismantles a neighboring country. The invaded country is an Arab country with a substantial number of Palestinian workers. The leading Arab financial power (Saudi Arabia) and the leading Arab military power (Egypt) support the United States in its resistance to Iraqi aggression. The President locates U.S. policy in terms of supporting a "new world order" in which the rule of law replaces the law of the jungle. The United Nations, in an unprecedented collective security action, moves against the aggressor. The Soviet Union joins with the United States in garnering the votes on the Security Council. A program of economic sanctions is undertaken. Israel stays on the sidelines. The world decides, through the Security Council, that enough time has expired: Saddam has been in Kuwait for five and a half months, on any day of which he could have brought the Gulf crisis to a non-military resolution by the simple expedient of withdrawing his army of occupation. The Security Council and the Congress authorize the use of U.S. armed forces. Our Arab allies join us in the campaign.

If, under *these* circumstances, the leaders of oldline Protestantism and American Catholicism cannot bring themselves to say that here is a situation in which the use of proportionate and discriminate armed force is morally justifiable, then it is hard to imagine what use of U.S. military power these religious leaders would *ever* sanction. They have, to repeat, become functional pacifists.

And in doing so, they have abandoned one of their most precious slogans, that of "peace and justice." There has been virtually no attempt to maintain *this* form of "linkage" in the church debate on the Gulf. "Justice" has been abandoned, as the NCC long ago (in days of the Cold War) abandoned "freedom" as a political component of peace. What has been left is a debased concept of "peace" that has long been regarded as morally suspect by both the just war and pacifist traditions: "peace" as the mere absence of conflict. Yet one can only conclude that, for much of the country's religious leadership, the debasement has gone even further: "peace" is the absence of armed American engagement in international conflict. How else can one understand the bizarre claims that "peace" reigned in the Gulf until January 16, 1991, and that the United States initiated the "war" that ensued, then and only then?

Those who thought that anti-anti-Communism was the driving force behind the politics of the religious

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left (which has long included much of the oldline leadership and which has made more of an impact on the foreign policy views of the Catholic episcopate than one might think) were mistaken. The deepest taproot of the politics of the religious left is its profound skepticism about the American experiment. A racist, imperialist, militarist, and, laterally, sexist America cannot act for good ends in the world. That is the orthodoxy in the NCC and in a depressingly large part of the Catholic episcopate. And the orthopraxis follows with inexorable logic: resistance to American power—not resistance to Saddam Hussein's aggression—is the index by which one measures one's commitment to "peace."

An American Christian leadership that had concluded, in conscience, that the Gospel demanded a pacifist position would be an American Christian leadership worthy of respect. It would be a religious leadership with which one could engage in honest conversation about the relationship between religiously derived moral norms and the exigencies of public life. But a religious leadership whose views of international politics derive from forms of Christian sentimentality that effectively deny classic Christian understandings of the brokenness of creation, a religious leadership that is palpably alienated from even a critical affection for the American experiment and what it means for the world—that is a religious leadership that will become, as in many respects it has already become, utterly irrelevant to the public moral argument about the right ordering of our society and the definition of its role in the world. FT

Bilbao Alone

Some of the sounds here are familiar:
Vivaldi plays the same in this language,
keys rattle in locks,

the engines of buses sigh as they turn street corners.
But something is different,
an odd solitude.

It digs itself under my watch into the small bones
of my wrist. Here in this place are no extras.
I play the leading role, but I am

as anonymous as my skeleton.
I have no drawers of envelopes and paper here,
no cupboards of glasses turned neatly upside down,

no simmering stews, no one whose knees fit
perfectly behind mine as I sleep.
Nothing of myself is here except myself.

What I have extends over vast landscapes
and it requires me to do nothing.
I sit in a park and watch what passes:

short Basque men whose tobacco lingers long after they
have gone, dogs whose interest is each other,
workmen with a ladder, the dignified bus

driver before the return trip, hands crossed behind.
And then suddenly it is twilight.
Sometimes one watches for no reason other than the eyes.

Is this grace, this waiting, a simple existing inside of it?
Is it always as ominous as these first few
hours of unfamiliarity?

Jill P. Baumgaertner

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An Open Letter to the Religious Community

Edward McGlynn Gaffney, Douglas Laycock, and Michael W. McConnell

The signers of this letter have been active for many years in both scholarship and litigation regarding religious liberty, and have close associations with many in the religious community who are now deciding whether to support the proposed Religious Freedom Restoration Act. Based on both our researches as scholars and our experience as litigators, we enthusiastically endorse the proposed Act and urge you to support it as well. We agree with some of the criticisms of the specific language of the bill in its present form and understand that its sponsors and supporters are open to improvements in the drafting and hearing process. We believe it is important for the religious community to unite in support of the bill's basic approach. If we do not speak out in support of the freedom of religious conscience, who will?

The Supreme Court's decision in *Employment Division v. Smith* (1990) was a sweeping disaster for religious liberty. The Court decided that a law forbidding a religious practice presents no issue to be decided under the Free Exercise Clause, so long as it is framed in terms that are ostensibly "neutral" and "generally applicable." The fact that the case involved a worship service (the sacramental use of peyote in the Native American Church) lends credence to the Court's statements that the importance or centrality of a religious practice is irrelevant. *Smith* applies only to neutral laws of general applicability, but clever lawyers can state almost any law in formally neutral terms by carefully selecting the level of generality at which the law will be stated. Thus, the implications of *Smith* affect every free exercise controversy in America.

We are not aware of any disagreement in the religious community about the desirability of overruling *Smith*. We do understand that some religious leaders and their counsel have reservations about the means. We believe that something like the proposed Religious Freedom Restoration Act is the only promising means.

The principal reservation is that it would be better, as a first step, to attempt to get the Court itself to change *Smith*. Further litigation might proceed on two fronts. First, litigants might ask the Court to overrule *Smith* and return to the law of *Sherbert v. Verner* (1963) and *Wisconsin v. Yoder* (1972), cases holding that the government may not burden the practice of sincerely held religious beliefs unless it is the least restrictive means of attaining a compelling governmental interest. We believe that this has very little chance of success. Prompt overrulings of the Court's mistakes are extraordinarily rare, and they usually result at least in part from new appointments. In this case, new appointments are more likely to increase the majority for *Smith*. One of the three dissenters has already retired; the other two are over eighty and have health problems. New appointments for the foreseeable future will presumably come from the same political and jurisprudential perspective that created the *Smith* majority.

Smith has deep roots in the current majority's jurisprudential philosophy, and that is not likely to

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change. *Smith* results from the same deference to democratic decision-making that made the Court so reluctant to apply *Sherbert* and *Yoder* vigorously and honestly in the years prior to *Smith*. The Court's avoidance of judicial activism may be a good thing in some contexts; we believe it is misplaced in the context of a textually clear constitutional right.

It is true that the Court decided *Smith* without briefing or argument on whether the Free Exercise Clause protects religious conduct. The Justices were unaware of Michael McConnell's work on the original understanding of free exercise, and they probably did not appreciate all the implications of what they were doing. But all of this was brought to their attention in the unsuccessful petition for rehearing. The chances of a flat overruling are very low.

The other litigation approach is to fit most free exercise cases into one of the limits or exceptions in the *Smith* opinion. We (among others) have taken that approach in litigation and discussed its merits and limitations in law review articles. But again, there is little reason for optimism. Competent counsel for state and local governments are arguing with equal vigor that no cases fit into any of the exceptions. It is unlikely that the Court will allow the exceptions to swallow its new rule. It is far more likely that the Court will gradually eliminate the exceptions as inconsistent with the logic of *Smith*. It is not encouraging that the first lower court decisions applying *Smith* have given short shrift to its limitations and exceptions.

Either litigation strategy is likely to take several years. We are told by persons whose political judgment we respect, including congressional staff and persons with experience lobbying for religious causes, that the chances of enacting the Religious Freedom Restoration Act will steadily decline over time. The repudiation of prior law is fresh in memory now; the angry reaction is now; much of the coalition is assembled now. The bill's supporters have enlisted more than one hundred cosponsors. If the religious community walks away from those cosponsors now, it will have much less credibility when it returns to seek their help in five years. We believe it would be a serious mistake to let the legislative opportunity pass while we pursue a judicial remedy that is unlikely to succeed.

A second reservation about the bill is closely related to the first. It is that the bill delivers free exercise rights into the hands of Congress, leaving them vulnerable to future amendment or repeal. The dangers of amendment or repeal are real, but the Religious Freedom Restoration Act is not the culprit. The Court in *Smith* delivered free exercise rights into the hands of Congress and of every state legislature, city council, and administrative agency in the land. Every lawmaking body is now free to forbid religious exercise with formally neutral rules. Exemptions must be won over and over again at every level of government. Every legislative fight for an exemption will be in the context of some specific legislative proposal supported by its own coalition of interest groups, and those coalitions will resist any exemptions. Any exemptions that are granted will be vulnerable to amendment or repeal, or to overriding legislation from another level of government. Needless to say, nonmainstream religions, and those whose tenets are particularly antithetical to powerful political interests, are particularly at risk if exemptions are decided on a piecemeal basis.

The Religious Freedom Restoration Act would confine the issue to Congress and, more importantly, it would present the issue in general terms. Congress would be asked to vote on the principle of exemptions for religious exercise, with a broad coalition urging an affirmative vote. Congress would not be asked to decide the legitimacy of particular religious practices or to balance religious liberty against the demands of other interest groups on a case-by-case basis. By legislating generally, Congress would avoid the danger of protecting only large and influential faiths while ignoring the needs of small or unpopular faiths. The Court has thrown free exercise into the political process, and this bill is the most favorable ground on which to wage the political fight.

A third reservation is that the bill would somehow change the rules of standing, or the rules of substantive law, to create free exercise claims that could not have existed before and that might be undesirable in the judgment of some denominations. We see no basis whatever for this fear. The law of standing will not be affected in any way, and the substantive law will at most be restored to the principles of *Sherbert* and *Yoder*. Any claim that could be brought under the Act could be brought under the Free Exercise Clause if *Smith* did not stand in the way.

Fourth, some have expressed reservations about the substantive standard for governmental interest articulated in the bill: that the restriction be "essential to further a compelling governmental interest." The concern is that this language, which was taken from numerous Supreme Court free exercise decisions prior to *Smith*, may not adequately protect religious freedom.

We must acknowledge that one of us (McConnell) has expressed the view in print that the "compelling" interest test is not the best possible formulation of either the original understanding of the free exercise principle or of a workable modern interpretation. Nonetheless, for purposes of this legislation, we agree that the term "compelling interest" is the best formulation for a statute that has as its purpose the restoration of constitutional principles as they existed prior to *Smith*.

At a verbal level, the "compelling" interest test is the strongest test in constitutional law. In the area where the test originated—invidious discrimination against racial minorities—the Supreme Court has not

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found the test satisfied in almost half a century. If taken seriously, the test would be more than strong enough to protect religious liberty. To be sure, in a series of decisions in the 1980s, the Supreme Court purported to apply the "compelling" interest test, while giving it so little "bite" that it more closely resembled a "rational basis" test than a "compelling" interest test (for example, *United States v. Lee [1982]*). The limitations of language are such that no verbal standard is impervious to misapplication.

But the solution to this problem is not to craft new language, which would create great uncertainty about the meaning of this legislation. The better solution is to explain in the committee report that the "compelling" interest test is a reference to the test applied in *Wisconsin v. Yoder* (1972), *Thomas v. Review Board* (1981), and *Sherbert v. Verner* (1963). There is no need for Congress to express a view on whether other cases, in which free exercise claims were rejected by the Court, were correctly decided.

We would also recommend against any attempt by Congress to address specific cases or contexts involving free exercise claims. Conflicts between religious conscience and governmental authority can arise in virtually any context, and it would not be feasible for Congress to anticipate them all. Moreover, almost by definition free exercise claims involve the rights of minorities against the majority. While a broad coalition can agree in principle on the importance of free exercise of religion, it is too much to ask that they agree on the specifics of religious practices about which they will, naturally, entertain different convictions. The "compelling" interest test of the proposed bill, being general, is superior to any attempt to address particular cases in detail.

Finally, some concern has been expressed about the potential impact of the bill on the Supreme Court's interpretation of the Establishment Clause. Many of the religious and civil liberties groups that agree on the proper interpretation of the Free Exercise Clause do not agree about the Establishment Clause. Some think that the Court's current test is too stringent; some think it is too lenient; some think it is about right. It has been suggested by some who are critical of the current Establishment Clause test that Section Six of the proposed bill might freeze that interpretation in place. We do not think this criticism is well founded.

Section Six provides: "Nothing in this Act limits or creates rights under that portion of the first article of amendment to the Constitution that prohibits laws respecting an establishment of religion." In our judgment, this language is purely precautionary and has no substantive effect at all. The Religious Freedom Restoration Act does not address the Establishment Clause, and (with or without Section Six) does not affect it.

The relation between the Free Exercise and Establishment Clauses is a source of great contention. Some believe that the pre-*Smith* free exercise interpretation is inconsistent with the Court's current interpretation of the Establishment Clause. Others do not. This bill does not, and should not, resolve that question. All it does is return the question to the same state of contention and confusion that reigned before the decision in *Smith*.

In conclusion, we strongly endorse the concept of the Religious Freedom Restoration Act (even though we believe the language of the bill should be modified in some respects). We share the regrets and concerns of some critics of the bill that these principles are now to be given mere statutory protection, when we are convinced that they are entitled to constitutional protection. But if statutory protection is available, it can supplement constitutional protection. The fear that statutory protection might be counterproductive is inconsistent with modern experience. Racial minorities have sought protection from the courts and the Constitution, but they also turned to Congress and procured passage of the great civil rights acts. Even more pertinent to our situation is the Equal Access Act, by which Congress protected the constitutional rights of student religious groups struggling against discrimination in the high schools, where years of litigation in the courts had failed to win redress. Congress' emphatic defense of religious free speech rights over countervailing Establishment Clause fears surely contributed to the Supreme Court's thinking on the *constitutional* question, as well.

We have come to think of the courts as the branch of government most responsible for protecting liberty. But the original conception was that our representative institutions would themselves be the first protectors of our liberties, with the courts serving as backstops when the representative branches failed. One of the virtues of separation of powers is that each branch of government can protect liberty when it is so inclined, and that each branch can fill part of the gap left by the errors and omissions of the other branches.

We therefore believe that passage of a properly worded Religious Freedom Restoration Act is the best practicable means of correcting a grave interpretive error by the Supreme Court, and will help to ensure that all Americans, whatever their religious faith, will be protected in their exercise of religion, as the framers and ratifiers of our Constitution intended them to be. FT

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Books In Review

History According to the Village Atheist

The Arrogance of Faith: Christianity and Race in America from the Colonial Era to the Twentieth Century. By Forrest G. Wood. *Alfred A. Knopf. 517 pp. $29.95.*

Reviewed by **James Turner**

I remember one of those 2:00 A.M. college bull sessions that gave a much younger me the beginnings of an education. On that night, we were arguing about Catholicism in Western Civilization: a force for good or evil? One roommate—predictably the son of an angrily lapsed Catholic—pointed to Crusader barbarity and Torquemada's thumbscrews, which proved the Church's malign influence. Another—predictably still attending Mass—cited monastic preservation of the classical heritage and papal restraint of feudal warfare, which proved its benignity. Within a year or two, both boys had taken some history courses. They learned the puerility of assigning praise or blame to "Catholicism" for everything done in its name in a culture drenched with it.

A career of teaching history has not yet acquainted Forrest G. Wood with that subtle lesson. The "central thesis" of *The Arrogance of Faith*, he announces at the book's outset, "is that Christianity, in the five centuries since its message was first carried to the peoples of the New World . . . has been fundamentally racist in its ideology, organization, and practice." (It is actually the Christianity in which Wood was raised, conservative Protestantism, that takes most of the lumps.) Wood concedes that racism has infected other religions, but, as it were, incidentally. Christianity's "dogmatic" character and "missionary spirit" have made it bigoted to the core. "Herein lay the fundamental component of the Christian's racism: his inherent inability to leave other people alone."

There is substance in Wood's premises. Christianity is "intolerant" in the sense that (like its monotheistic relatives, Judaism and Islam) it claims to possess a universal truth superior to the teachings of other religions; and it has spread this doctrine with a missionary zeal perhaps exceeding even Islam's. But for Wood to draw the conclusions he does from these postulates requires a fudging of distinctions that would make a sophomore blush.

As Wood knows, Christianity formed for Europeans (and Euro-Americans) "a fundamental component of culture." They used Christian language to discuss everything from childrearing to chilblains; they justified their deeds and misdeeds in Christian terms. It does not follow that every word and deed encased in Christian rhetoric *derived from* Christianity. Christianity was invoked to rationalize everything from pacificism to holy war. But if we blame both on it, then "Christianity" becomes so vast and shapeless a thing as to lose all substantive meaning and (for an historian) analytic usefulness. Even Wood cannot help noticing Christianity's "supreme usefulness to people of contrary viewpoints"—including slaveholders and abolitionists.

Yet he ignores the obvious inference. Wood assumes that Christianity somehow produced every racist writer who cited a Christian doctrine or biblical text. At his sloppiest he asserts the genetic link simply by referring to bigots and slaveholders as "Christians." They were. So were their opponents. Generic vileness or benevolence could speak many tongues. The problem is to distinguish between what Christianity could be bent to say (that is, almost anything) and what its particular doctrines encouraged people to say.

This distinction seems too subtle for Wood. And its consequences would distress him. What beliefs or practices might *not* have existed, absent Christianity? Previous historians have noted that most cultures justified slavery, while the peculiarity of Christian ones lies in also producing a movement against it. But if Wood were to qualify his brief against Christianity, he would be giving up the sole novelty in a book that otherwise travels well-worn highways.

Indeed, *The Arrogance of Faith* often reads as if a vacuum cleaner had been run through the vast historical literatures on American race relations and on American religion. Wood has taken notes on a lot of books but not chosen them with much intelligence. A claim for the *peculiar* depravity of Christianity is necessarily comparative; yet Wood's acquaintance with other religions (partly excepting African) is thin, his comparisons of them with Christianity sparse and superficial. (He does seem to recognize Islam, with its history of racial slavery and its missionary drive, as a particular problem, around which he stumbles and fumbles a bit.)

And this is hardly the only case where the thinness of his research embarrasses his argument. Biblical interpretation naturally absorbs a lot of ink; but "modern biblical scholars" will be surprised to learn that many of them regard miracle stories as fictions "designed to influence the common folk of an ancient and more simple time": a view closer to old-fashioned anticlericalism of Thomas Paine's vintage than modern scholarship even of a radical stripe. Wood rightly devotes much attention to nineteenth-century speculation about racial origins, which rested on the Scottish Enlightenment's "conjectural history"; yet Henry Home, Lord Kames, a key figure in

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the tradition on which Wood focuses, and hardly an obscure one, appears here as "Lord Henry Homer Kames" and "Lord Henry Holmer Kames."

IF WOOD'S KNOWLEDGE is limited, his epistemology is downright antediluvian. (Perhaps, dealing with so literal-minded a man as Wood, I should add that I mean that last word metaphorically.) Wood espouses a creaky Victorian positivism, indeed claims it as the only acceptable basis for scholarship. His tilting against the windmills of pluralism will, I fear, in this postmodern age offend radical feminists or the disciples of Derrida much more than the "fundamentalists" (broadly meant) who are his targets. But it is wonderfully nostalgic to see this village atheist still doughtily fighting the Warfare of Science with Religion—and undeniably fun. Few recent books have made me laugh out loud, but this one did, and more than once.

A book so bad that it is funny, however, can have an ill effect. So easy to dismiss is *The Arrogance of Faith* that Christian readers might dismiss with it the awful history of their churches' complicity with racism. Conversely, those who claim a Christian descent for the good things in our common life—say, democracy and respect for the individual—need to ask themselves what Wood does not: Are they confusing the common Christian language of European culture with uniquely Christian principles?

Saints as Givers, Saints as Guides

MAKING SAINTS: HOW THE CHURCH DETERMINES WHO BECOMES A SAINT, WHO DOESN'T, AND WHY. BY KENNETH L. WOODWARD. *Simon and Schuster. 461 pp. $24.95.*

Reviewed by
James Tunstead Burtchaell

"NEWMAN DID NOT regard himself as a theologian, and it would distort his accomplishments to call him one. He was that rarer and more comprehensive figure, a Christian humanist, who set his face against utilitarians of both the mind and the spirit. The spirit of Newman sought wholeness of vision: the integration of faith with knowledge, history with human experience, continuity with change. As a thinker and writer, he addressed that zone of controversy and concerns where religion and culture fuse and overlap." Thus Kenneth Woodward on Cardinal Newman. And thus Woodward himself, in this book.

Catholics are peculiarly sustained and afflicted by historical narrative, since they cannot know their own identity otherwise. This reviewer thinks of some especially pivotal books that in this age have helped form right self-understanding: E. K. Rand's *Founders of the Middle Ages*, Joseph Jungmann's *The Early Liturgy*, Christopher Dawson's *Religion and the Rise of Western Culture*, E. E. Y. Hales' *Pio Nono*, Joseph Moody's *Church and Society*, Xavier Rynne's four volumes on Vatican II, and John Noonan's *Contraception* (as well as his *Scholastic Analysis of Usury* and *Power to Dissolve*). They all found ways to tell their stories in a manner that both submitted to facts and construed them into new life. *Making Saints* belongs to this same genre.

The book, which studies the process of beatification and canonization in the Catholic Church and the personalities of its saints and saint-makers, has several things to its advantage. The first is timing. The entire procedure for saint-making was radically altered in 1983. What had for four centuries protected objectivity through a painstakingly adversarial systematic doubt was converted to a collaborative effort in historically critical biography. The shift from a judicial to a historical process was so recent, so controverted, and so innovative that it left the staff at the Congregation for the Causes of Saints articulately partisan about the nature and needs of their task. They were thus at their most reflective when Woodward prowled his way into their lives.

The second advantage resides in Woodward's own competencies: as *Newsweek*'s religion editor for most of his career, he brings to this book historical perspective, a literary education, an ecumenical habit of mind, and a capacity to schmooze that apparently wore down the professional reserve of Vatican scholars to the point of candor. It is entirely likely that he was able, at the end, to offer them as much insight by his questions as they gave him by their answers.

THE PREVIOUS SYSTEM, which imposed round after round of argument between advocates of the cause of some candidate and opponents charged with pursuing every possible defect in the evidence, has yielded to a protocol that is much briefer and that invites participating scholars to frame a consensus as they study the character and alleged miracles ascribed to a person held in reverence by a local church. *Making Saints* is fair in weighing the gains through simplified procedure against the risks that without procedural skepticism the process may be too open to uncritical sentiment or outside pressure.

The recurring problems in the identification and scrutiny of "servants of God" to be held up before the community of belief for their veneration, emulation, and prayer are studied through a combination of textual critique and staff interviews. Martyrs must be honored specifically for their steadfast Christian faith, and not merely for political gumption or feisty temperament. The causes of Nazi victims Titus Brandsma, Edith Stein, Maximilian Kolbe, and of clergy who stood up to totalitarian regimes in Latin America, such as Miguel Pro and Oscar Romero, test

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that principle . . . perhaps to destruction. The insistence of the Vatican "saint-makers" on ignoring mystic phenomena and appraising only heroic theological and moral virtue is vindicated by the disclosure that the revelations of the once celebrated Anne Catherine Emmerich were a literary fraud, but it has the possible drawback of excluding potential candidates like Padre Pio the stigmatic simply on the basis of abrasive character traits.

Woodward is not hesitant to criticize inveterate blind spots in the Church's hagiographical vision. Rome has been blinkered in its incapacity to recognize and exalt men and women whose sanctity was embodied in the calling of marriage and child-bearing. The preponderance of people chosen for veneration continue to represent but a limited segment of a Church spread through many lands and cultures. Woodward suggests as well that the signs and wonders which confirm sanctity may be much more varied and complex than the physical cures submitted to the judgment of medical doctors. And the finicky insistence that intellectuals of the past must be in thorough conformity with the doctrines of the present may have stalled the cult of the great paladin of doctrinal development, John Henry Newman himself.

All this Woodward reports fairly and imaginatively. He is not a professional scholar in any of the disciplines cognate to canonization, as the reader is reminded by the scores of typos in foreign language phrases or technical terminology. But that is no disqualifier: the competent journalist has got to the points of meaning that the competent scholars can so easily miss. It is not slurry thought but careful integration that allows the book to test elements of scientific inquiry in their ability to meld with Christian practice.

Woodward straightforwardly affirms the theological presuppositions that lie behind the canonization process:

It's Always Great To Hear From These People:

Non-Christians and Christians alike will find great reward in exploring with Schaeffer the provocative and evocative role of art.
—Richard John Neuhaus
Director, Religion and Public Life

...[Schaeffer] vigorously outlines a theology of the arts that champions the freedom of the artist.
—Christianity Today

A vigorous assertion of the Christian responsibility to be true to the God of creation and redemption.
—David F. Wells
Andrew Mutch Professor of Historical and Systematic Theology, Gordon-Conwell Theological Sem.

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Doubleday 1990

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Thank you for saying what I have been feeling for so long.
—J. Noa
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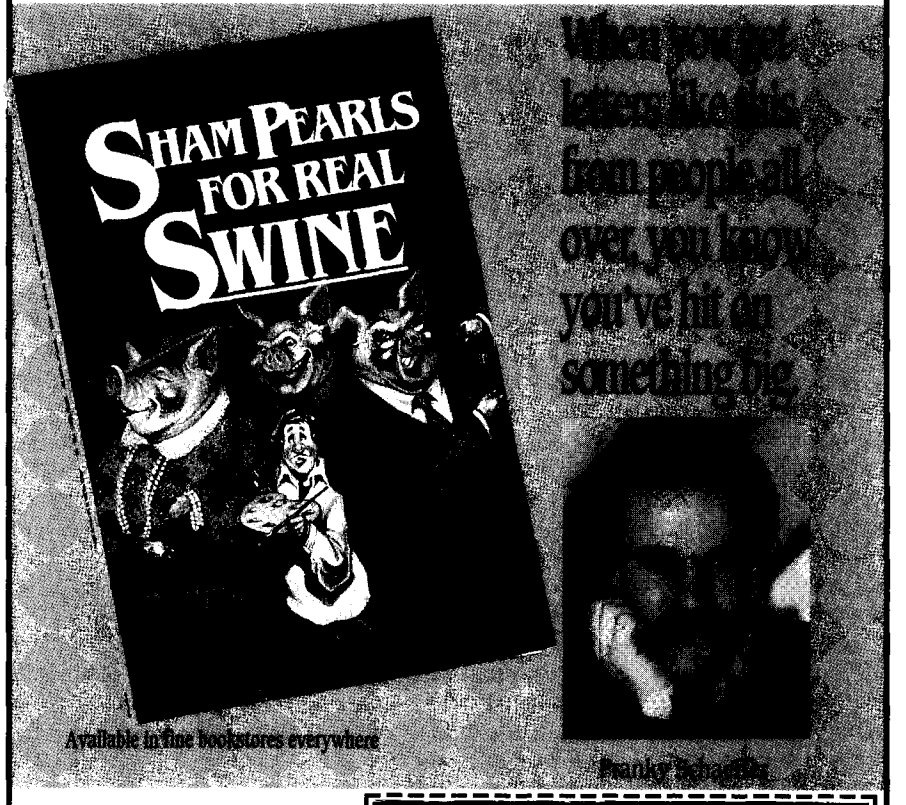
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I have no trouble in accepting miracles because I believe in God as Jesus came to understand "the Father," and therefore in God's grace. On more than one occasion I have experienced graced moments in my own life and in others, which have come as gifts. To believe in miracles one must be able to accept gifts, freely bestowed and altogether unmerited. Nor do I find it difficult to suppose that these gifts have come my way because someone else—parent, child, spouse, friend, or enemy—prayed to God on my behalf. In a graced world such things happen all the time; despite our inclination to credit ourselves for whatever "good fortune" we may have, "grace is everywhere." But if the world is presumed to be without grace, gifts do not make sense, least of all gifts that come through prayer. Things "merely happen" and one presumes fate or chance, nature or history, or our own merits or well-laid plans to be the cause. The "communion of saints," on the contrary, presupposes that in God we are all connected, giving and receiving unexpected and undeserving acts of grace.

THAT IS WELL SAID. But what the cult of the canonized seems to continue doing is to envision saints primarily as advocates rather than as exemplars. Woodward very capably argues, as perhaps his central criticism of both the old and the new regimes in Rome, that their analytic inquiry into set virtues misses the advantages and violates the integrity of their proper genre, which is that of narrative. They must not only verify that the elements of ardent and consistent discipleship were developmentally operative in a person's life: they must reconstruct the saint's journey to enlighten and assure those of us still en route, how the Lord was followed from Galilee through Golgotha and Pentecost to the Vatican graveyard, all in grace and glory.

The communion of saints is a communion of fellowship and favor more than one of entreaty and favors. Indeed, the gifts we might seek through the intercession of the saints are more likely to be petty and peripheral if we do not appreciate that they are more precious to us than their favors are.

The cult of saints will continue to rival and thus gainsay the cult of Jesus, prophet and martyr and Son, if the servants are implicitly proposed as more approachable or more affable than the Master. The saints as intercessors obscure the saints as disciples who, like us, had neither immaculate beginnings nor immaculate endeavors. The respect in which they must be meaningfully differentiated from their Master is that they became saints through forgiveness of their sins. That is why we must have their stories told to us as journey from selfishness into love. The selection and promotion of saints is perhaps the chief act of the church as a moral teacher. It would seem to be a task difficult or improbable for scholars who lack a continuing investment in pastoral ministry, where these things can be seen close-up.

Left Out

ENCYCLOPEDIA OF THE AMERICAN LEFT. Edited by MARY JO BUHLE, PAUL BUHLE, and DAN GEORGAKAS. *Garland. 928 pp. $95.*

Reviewed by **David Horowitz**

OUT OF ALL the tragedies and horrors of Communist rule in the last seventy years there emerges a blessing: the fact that Marxists and socialists were actually able to put their ideas into practice has meant that their defeat has been complete. In the East, as a result of *glasnost*, not only have the commissars and *apparatchiks* been vanquished, but their lies and subterfuges and subtle intellectual poisons as well. Not so in the West, where the compilers of volumes like *Encyclopedia of the American Left* are alive and well and enjoying the bourgeois privileges of campus careers. Unlike the formerly Communist East, where the socialist myth has been shattered beyond repair, in the West it only seems to feed on its own defeats.

Readers of this "encyclopedia," edited by Paul and Mary Buhle and Dan Georgakas, will find the bloodstained intellectual legacy of Stalinism fully intact. In these pages—in articles written by their most dogged apologists—Communist agents like Alger Hiss and the Rosenbergs are still innocent; the Nazi-Soviet Pact and other Marxist atrocities are still remembered as well-intentioned "mistakes"; and the anti-Communist heroes of the Cold War, like Whittaker Chambers and Sidney Hook, are still forever guilty, their places of dishonor reserved for them in the Progressive Hall of Shame.

The editors of this volume—founders of the journal *Radical America*, and avatars of the new "radical history," "radical economics," etc., that have displaced professionalism in the far reaches of the American academy—dedicate their work "to Jenny and Jimmy Higgins." While these names are inexplicably not explained by the encyclopedists in what their introduction describes as "the first comprehensive reference work on the history of the American left," some readers will recognize them as the self-adopted symbolic identities of rank and file Communists. To be reverent, in this fashion, towards Stalin's groupies in our time is so perversely reactionary as to be radical indeed.

UNFORTUNATELY, THE ATTITUDE that it reflects is so anti-intellectual

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as to render this volume practically worthless except as a kind of ideological palimpsest of a world now happily extinct. Thus, the reader will find the Hitler-Stalin Pact described as "the amazing countermove Stalin had apparently engineered" to stymie British perfidy—regretted not because of its consequences to Poland or the Baltic peoples or the other hapless victims of its cynical devices, but only because the shock of it caused disorientation and dissension in the Communist party's ranks, creating a "reservoir of suspicion [of Communists]... soon tapped by Senator Joseph McCarthy and others in the domestic Cold War."

In keeping with the editors' principled anti-intellectualism, the author of the article, Annette Rubenstein, has not been selected because she is a diplomatic historian or a political scientist or the possessor of any academic expertise obviously connected to these events. The editors themselves identify her as "a veteran activist and literary scholar," but even these are at best half-truths. Annette Rubenstein was the Communist Party's anointed "authority" on literary matters in the 1950s—a time when the Party had been abandoned by virtually all but the most pathetic intellectual hacks.

Half-truths, however, are the best a reader of this eccentric volume can hope for. Here is the way the entry for "Front Groups" (written by editor Dan Georgakas) begins:

> Radical organizations often seek to influence political events by creating groups that deal with only one aspect of their general program. Such groups are called *fronts*. In this context *front* does not indicate a facade but a broadly-based coalition. . . .

Not even Orwell could have improved on this.

And here is the way in which Irving Howe's political views are described by editor Mary Buhle:

> Howe's versions of democratic socialism, often shifting subtly during his career, remained unsettled. By virtue of intellectual alliances and personal ties, he appeared prominently identified with [the] extreme rightward edge of liberalism in the pro-contra, Cold War hard-line position of the *New Republic*, owned and directed by Howe's former student Martin Peretz.

This spasm of guilt-by-association should remind us that it was Stalinists who perfected the technique of the political "amalgam" (Def: indiscriminately linking one's enemies in order to tar each with the other's brush) and were thus McCarthy's teachers in this regard.

The editors of the *Encyclopedia* are actually fastidious in their preservation of Stalinist traditions. Leftists who have had second thoughts or don't fit the subtle orthodoxies the editors wish to perpetuate can simply vanish into thin air. (This, as Marxists would say, is no accident. The principal editor of the volume, Paul Buhle, recently published a book on radical history in Wisconsin during the 1960s in which every radical historian in Madison is duly described—except Ronald Radosh.)

Thus Eugene Genovese, Radosh, and other second-thoughters who had the bad political instincts to think for themselves might just as well never have been part of the New Left as far as this "comprehensive reference work" is concerned. There is an entry for politically correct Abbie Hoffman, but none for the incorrigible Jerry Rubin; an entry for Communist Party faithful Henry Winston, but not for Malcolm X; an entry for obscure Communist fellow travelers Modjeska Monteith Simkins and Stanley Nowak, but none for George Novack—one of the principal leaders of American Trotskyism—or Tom Hayden.

The same commissarial razor is wielded to prune the field of uncomfortable organizations, publications, and practices. Thus, there is an entry for "Party Organizer" but not "Party Line." The most obscure Communist Party fronts receive full-entry treatment, while non-Party entities often are missing or treated in a secondary fashion.

Thus there is an entry for *Toveritar/Naisten Viiri*, a Finnish language pro-Communist magazine never important and long forgotten, but none for *Telos*; a full entry for the Congress of American Women, a defunct Communist front, but not the Congress of Racial Equality; a full entry for the National Women's Commission—a Communist Party apparat—but none for Weatherman (although Weatherman and CORE are treated as subordinate clauses of other entries).

One can only pity the poor students sent to the library by their New Left professors to consult this "reference." Any person or library truly interested in the American Left will save the $95 and buy some other book (one is tempted to say *any* other book). Anyone curious about the closed, sclerotic, fundamentalist mindset of the contributors to this volume who wants to learn more about the nature of the chasm between the views of American neo-Stalinists and the real world they so desperately want to change will obtain a copy of the definitive analysis of this wearisome subject to date: *"Jimmy Higgins"—The Mental World of the American Rank-and-File Communist, 1930-1958* by Aileen Kraditor (Greenwood Press, 1988).

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Richard John Neuhaus

The Public Square

A Continuing Survey of Religion and Public Life

The Death Watch

We need not speculate about what *may* be down "the slippery slope" on which we find ourselves. The truly ominous changes are the stuff of our daily newspapers. These things are happening now. Consider the much discussed case of Nancy Cruzan. On December 15, 1990, the feeding tube was removed, and some expected that she would die in time for Christmas. The statements from the Hemlock Society and sundry "death with dignity" lobbies made clear that they were in a celebrative mood. They claimed a great victory. But many Americans wondered.

The Cruzan case went to the Supreme Court and back. Every mindless talk show in the country at least once chatted up the pros and cons of "letting Nancy die." For eight years, following an automobile accident, Miss Cruzan was given food and fluid through a tube. She was said to be, in the current jargon, in a persistent vegetative state (PVS). An obviously caring family long insisted that "It is time to let Nancy go." She was not dead by any current medical measure. She was not "brain dead," nor had the vital signs ceased. When she finally died, there were sighs of relief.

Those who had taken care of Nancy Cruzan over the years had a different reaction to the removing of the tube. Nurse Sharon Orr said, "The Humane Society won't let you starve your dog. They don't starve death row inmates." Another nurse said it would have been easier to handle the situation if Miss Cruzan had been killed with a lethal injection. "I'm not saying that that's a good option," she added, "but it would be more humane than the suffering she'll have to go through." Nurse Orr protested the claim that Miss Cruzan was in a vegetative state. "Do carrots cry? Nancy has tears." Another nurse, Debbie Schnake: "We had Nancy long enough that she's almost like a member of our family." She tearfully described a relationship of "day-in, day-out touching and loving given daily here by every shift."

Dr. Donald Lamkinds, the director of the Missouri medical center where Nancy died, observed, "There's two kinds of law here: our legal laws—those are society's laws—and moral law. Moral law is God's law; it comes from religion. Man's laws said it's all right, but that doesn't change the moral law." Dr. James Davis, the one who actually withdrew the tube, acknowledged that the hospital staff was hurt and angry, feeling that all their caring of Miss Cruzan over the years had been judged senseless and misguided. Davis said he was sure he had done the right thing, but he was not sleeping well at nights. "I had a dream last night that I went back into her room and she was sitting up, talking to her mother," he said. He added, "But that turns out to be a nightmare."

Breaking with Norms

Who won and who lost in the Cruzan case? Was it a civilized step toward "death with dignity," or a brutal turn, cloaked in the rhetoric of compassion, toward ridding ourselves of the burdensome among us? Certainly it was a radical turn from long-established moral principle. The official directives for Catholic health facilities declare: "The directly intended termination of any patient's life, even at his own request, is always morally wrong." There is nothing peculiarly Catholic in that claim. In Western medicine, that principle has been in place since Hippocrates in the fifth century B.C. It has often been violated, also in modern times—massively so under Nazism and Communism—but civilized people have adhered to it in principle. No longer. What the Missouri court ordered and what Dr. Davis did was directly intended to terminate the life of Nancy Cruzan. There is also no blinking the fact that they intended to kill her by starvation and dehydration.

We are told that death by starvation is particularly ugly. Even with heavy sedation, the body commonly goes into terrible spasms and the face becomes grotesquely disfigured. It takes a long time to starve to death. As the nurse said, why not something quick, like a lethal injection? Once we have directly intended to terminate a life, one might argue that

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there would be no moral difference in doing it neatly and, presumably, painlessly. There would be this difference: we could not conceal from ourselves what we are doing. There could be no more talk about letting people die. With lethal injections, it would be obvious that we are in the business of killing people. By starving Nancy Cruzan to death, however, are we not already in the killing business? We can debate whether we are right or wrong in doing this. We can go around the track once more on all the arguments about "right to life" and "right to death." But nobody should deny that we are, in fact, killing people.

The stark realities are obfuscated, sometimes deliberately, by much talk about "prolonging death" by the imposition of new medical technologies. Nancy Cruzan was not dying, except in the sense that all of us are daily closer to death. It was unanimously acknowledged that she might have lived another ten years or more. Nor was she heavily burdened with medical technology. Surrounded by caring nurses, she received food and fluid through a tube. It was "artificial," to be sure, but far from an "extraordinary" or "high technology" treatment. It is "artificial" to provide food to a helpless person by lifting a spoon to his mouth. That is not the "normal" way human beings receive sustenance. At what point does something "artificial" become an extraordinary means? The drift today, encouraged by ever so permissive "medical ethicists," is to erase the distinction between ordinary and extraordinary means altogether. Any care, including the provision of food and fluid, is deemed an extraordinary means. At least in cases where it is judged that a life is not worth living.

"Unworthy" Lives

It is noted that Miss Cruzan might have lived another ten years or more. "Lived?" comes back the incredulous response. "What kind of life would that be? And how cruel to impose the burden of that lingering 'existence' upon her loving family!" One can understand the concern and compassion in that response. But now we are into the thick of the matter. Adopt a "quality of life" index by which some lives are determined to be not worth living, and join that to the permission to directly intend to kill. Agree, further, that starving people to death is clumsy, unseemly, and cruel. With those pieces in place, are we not now ready to take our hypodermic needles and lethal doses and get serious about the killing business?

At the risk of entering upon a heavily mined field, we must ask whether we can speak about lives not worth living without remembering the phrase, *lebensunwertes Leben* ? It means in German, lives unworthy of life. It was used by the Nazis to justify the directly intended killing of the burdensome. Yes, I know that none of us are Nazis, and this is not Germany in the 1930s. This is America, and we are motivated by kindness and compassion. It cannot happen here. *We* would never do that kind of thing. But leave motivations and our putatively superior virtue aside for a moment. What if, just what *if*, we are, in fact, doing not only that kind of thing but that very thing? The question is not intentions. The question is the thing itself.

In hospital wards and nursing homes across the country, there are thousands upon thousands of patients who are, by the criteria applied to Nancy Cruzan, *lebensunwertes Leben*. They are, as her undoubtedly loving family said of her, "already dead." We are not really killing them, we tell ourselves. We are simply helping them to be what they already are—dead. But, it is objected, witnesses testified that she herself would not want to live under the circumstances of these last eight years. Perhaps so, although the court testimony was indecisive. We can well imagine a vibrant woman in her twenties saying, "If I were ever in a situation where I couldn't do anything for myself and was a great burden to others, I wouldn't want to go on living." Such a person might even have gone on to say, "If I am ever in that situation, I hope somebody will kill me."

We don't know for certain that Nancy Cruzan said those things, but she *might* have. The Supreme Court decision in the Cruzan case indicated that there is a right to refuse medical treatment (food and fluid presumably being defined as "medical treatment"). The current state of law and "medical ethics" is redefining "choice" to include choices made for us by others. "Substitute judgments" and "proxy judgments" by the family will be enough. Those who "know the patient best" can determine that *they* would not want to live under such circumstances, and therefore it is legally determined that he or she does not want to live. More precisely, it is determined by substituted judgment that he or she has chosen to be killed.

Denying Ambiguity

The older ethic did not forbid the withdrawal of feeding tubes under every circumstance. The tube could be removed when death was imminent, or when its presence might be counter-indicated, i.e., when it exacerbated an existing condition or created seriously threatening side effects. What was forbidden is the direct intention to kill. What was forbidden is what was done to Nancy Cruzan and will now, almost certainly, be done to many others. In the past, there were gray areas; that was understood. It was understood that civilization rests in large part upon ambiguities. But now we have it in lethal black and white. License has been given to kill those whom the living consider to be no better than dead.

In response to Nancy Cruzan's death, the two

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Americas (which have aptly been called the America of "rights and laws" vs. the America of "rights and wrongs") found expression in two prestige editorial voices. The lead editorial in the *New York Times* was titled, "The Accomplishment of Nancy Cruzan." The point was that her being allowed to die "with dignity" was her contribution to a more rational approach to death and dying. Albeit expressed in a thoroughly secularized manner, the suggestion was that her death was redemptive. Her suffering and death were not pointless; she has made it possible for other people to end their suffering by death. "I am damn proud of her," said Nancy Cruzan's father. The *Times* warmly agreed that he should be.

The message of the *Wall Street Journal* was elegiac rather than celebrative in an editorial titled simply "Nancy Cruzan, R.I.P." Acknowledging that the plight of the hopelessly ill "raises difficult questions of morality and conscience," the editors were uneasy. There was a time when gray areas of ambiguity were respected, when questions about treatment or non-treatment "would be resolved by a family, its doctor, and its clergyman." "However the matter was resolved, life would go on for that family, as it would for other families as they passed through these periods of seemingly unbearable distress. But no more."

Resorting to the Courts

Among the many troubling aspects of the Cruzan case is precisely that it was so publicized, and the suffering of the family so exploited in order to advance a political and legal change. "In America now," the *Journal* observes, "nothing is allowed to be merely personal. Instead, it is a matter of 'policy' that simply must be 'debated' at great length in public, no matter how grotesque or obscene the spectacle of conducting such business around the bent form of a woman in a vegetative state." People have little tolerance for areas where discretion, prudence, and conscience rule. "What they want is a *law* or a *judgment*. They want a judge to use his authority to posit a *right*, and 'settle' the debate." When the Cruzan case came before the Supreme Court, Justice Scalia warned that the Court "will destroy itself" if it continues to take up controversies wherever human irrationality and oppression may theoretically occur. The editors offer this corollary: "This society will damage its civil cohesion if it insists on making judges arbiters of disputes that should be matters mainly of morality mediated by conscience." That there are not social institutions that are trusted to be guides for conscientious action is, in the editors' view, largely the result of the default of the churches and other agencies of religion.

"[Religious leaders] essentially decided during the past twenty years that people could fend for themselves on matters of personal morality while the churches joined the 'struggle' to establish social 'rights' whose imprimatur comes from the courts, America's unique bishopric." More than three centuries ago, when dealing with death was more a part of everyday life, John Donne asked: "What is so intricate, so entangling as death? Who ever got out of a winding sheet?" The *Journal* concludes: "Nancy Cruzan, entangled eight years in publicity, is now in peace. As a society we somehow have to rediscover what we already know as individuals and families—that death's intricacies are beyond the grasp of codes or judges."

It certainly does not hold for all the differences of editorial bias between the *Times* and the *Journal*, but, in this instance, the former is the voice of rights and laws, the latter of rights and wrongs. I have not quoted the *Times*' editorial at length because the viewpoint is so familiar, clearly dominating in the media. The *Journal*'s is the countercultural viewpoint—that there are some things on which we should not have clear "policy," that there are some issues that simply cannot be "settled" by law. Expanding on that viewpoint, one might argue that there are many dimensions of life that simply do not lend themselves to policies or court decisions. In these spheres we must rely upon culture and morality—upon principles being in place, and upon habits and institutions that nurture the conscientious observance of such principles. In short, we must rely upon virtues. The objection is raised that, in the absence of virtues, we must rely upon policies and court orders. But what if reliance on policies and court orders actively undermines virtue? What if, as I believe is true in the present case, policies and court orders invite the doing of that which virtue would inhibit, even if it cannot always effectively prohibit?

An Ominous New License

To speak, as we have, about our being in the killing business will strike some readers as altogether too harsh. We are in the business of alleviating suffering, of permitting people to die with dignity. Such are the euphemisms by which we disguise the deed. The old expression, "mercy killing," had the merit of appealing to good intention (mercy) while candidly denoting the deed (killing). In the long, complex history of our civilization's pondering questions of life and death, the law and moral sentiment allowed killing in two circumstances: the waging of a just war, and the retributive justice of capital punishment in the instance of murder.

Now, so suddenly, we are opening up a vast new sphere of license. Note that the two established exceptions against killing did not involve innocent lives. The combatant in war, unlike the noncombatant, is not considered to be an innocent, and those executed are first found guilty of murder. The "vegetables" in our hospitals and nursing homes

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are guilty of nothing. They are simply in a very bad way not of their choosing. But the thought insinuates itself that they are "guilty" of being a burden to others. It is passing strange that the same people who describe ours as a society driven by selfishness and greed are, at the same time, so insouciant about giving people permission to kill others whom they find burdensome. When it comes to terminating the lives of others, the selfish and greedy will presumably act in selfless devotion to the well-being of others.

"Meaningless" Suffering

Underlying this shift is also an obsession with youth and health that doesn't know what to do with suffering other than to get rid of it. Suffering and fragility that we cannot "fix" is an affront to our need to be in control. There was once respect for suffering nobly borne. Biblical spirituality inculcated the idea of suffering as redemptive, and invited a response of altruistic caring from others. Such patterns of thought are now utterly alien to the dominant attitudes in our society, including the attitudes of the great majority who profess to be believing Christians and Jews. The idea of redemptive suffering, if indeed it is ever raised, is dismissed as "romantic," even a rationalization for cruelty.

There is nothing worse than suffering, it is now believed. Suffering is a surd, a meaningless and threatening intrusion upon the way we choose to order our lives. The only rational response to it is to eliminate it. Far from being romantic, the older attitude toward suffering was relentlessly realistic, recognizing that each of us is radically dependent upon a conspiracy of caring to shelter one another in time of direst need. Now we call it kindness to put others out of their misery, denying even to ourselves that the misery we cannot bear is the burden that they are to us. The "us" is the living, the healthy, the strong, who want to get on with our lives, who want to live our lives as we want to live our lives before our time comes to die. Maybe, we say in our innermost heart, science will come up with the answers that will delay death indefinitely. What we tell ourselves is a more rational and humane approach to suffering is, as Ernest Becker tried to teach us, driven by "the denial of death." Half suspecting that that is the case, people throw themselves more desperately into their private little immortality projects. Unable to bear the reality of death, we refuse to bear with the dying.

It is not likely that the "angels of death" will anytime soon spread out through our hospitals and nursing homes to go about their "mission of mercy" on a systematic and massive scale. For one thing, there are too many nurses like Sharon Orr and Debbie Schnake who persist in believing that their patients are persons. For another, doctors do not want the idea to get around that when they come to visit one cannot be sure whether they come to care or to kill. Not systematically and massively but selectively patients will be killed. Patients who have loving families will be first. Nancy Cruzan would be alive today were it not for her family whose love made her such an emotional "burden" to them. If they had not cared so much, she would not have been killed. She was, as it were, killed by love.

There are many thousands of Americans who love grandma or grandpa or their elderly wives or husbands too much to allow them to go on lingering in their pitiful state. Now that directly intended killing is permitted, a way can be found to do the merciful deed. At present, a court order is required. But judges are compassionate. And, if it is done in the absence of a court, ours is a forgiving society, especially since it has now been determined that there is no wrong to forgive.

Nancy Cruzan failed to die by Christmas Day. The death watch did not end until she was pronounced dead at 3 A.M. on the morning of December 26, 1990. And now, for the rest of us, the death watch begins.

FT

Eastern Europe and the Swedish Model

Under the editorship of Lewis Lapham, *Harper's* magazine generally evidences an attitude toward religion that is embarrassingly vulgar in its snootiness. One welcomes, therefore, a recent article there by Leon Wieseltier, who is literary editor of *The New Republic*. Wieseltier is contemplating the revival of nationalism and religion in the post-Communist world, especially in Central and Eastern Europe. Some of what he says is very wise, and much is woefully wrongheaded.

Anyone with eyes to see is struck by the vibrancy of religion and nationalism in countries where brutally oppressive regimes promoted for decades official atheism and the universalistic myths of Marxism. Wieseltier correctly says that religion and nationalism are by no means unmixed blessings, and that some mixtures of religion and nationalism can be a curse. His concern is about more than anti-Semitism when he writes: "I believe that nationalism and religion bring out the worst in each other; that the closer they come to each other, the more dangerous and less defensible they each become; that what is most precious in nationalism is not its resemblance to faith and what is most precious in

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religion is not its service to the group. The separation of nationalism and religion is not merely an analytical duty. It is also an ethical one."

Yes, but. Wieseltier must surely know that the "separation" of nationalism and religion is not in the cards. It is the combination of the two, constituting what is called "cultural identity," that provoked his reflection in the first place. To wish for their separation is wishful thinking, and it may be a very misguided wish. Wieseltier is right about the great dangers of nationalism becoming a faith, and of religion that is captive to nationalistic passions. The alternative is not separation (which is impossible in any case) but a determinedly modest politics that checks nationalistic propensities, powerfully aided by religion that has the integrity to proclaim that the Lord of the nations transcends every particularity. In this way are nationalistic excesses most effectively restrained.

Wieseltier continues: "Both nationalism and religion are expressions of the certainty, historical and spiritual, that we have not created ourselves, that we have sources, and that those sources have something to do with the meaning of our lives. It is one of the most beautiful ironies of the recent emancipations in the East that people have expressed their right to self-determination by insisting that we are, nationally and religiously, already determined." The last sentence is magnificent and bears reading twice. That the drive for self-determination is based upon the knowledge of being determined is a fine irony indeed. Nonetheless, does Mr. Wieseltier really want to say that nationalism, like religion, provides "meaning for our lives"? Is not that the very nationalism-as-faith that he rightly says must be avoided? Again, it is a matter of getting religion and nationalism in proper priority. Religion provides a transcendent "meaning system" by which all other meanings, including national identity, are kept in check.

Wieseltier goes on to treat the "troubled relationship" between religion and democracy, a relationship that he says is more troubled than that between nationalism and democracy. He does not deny that, notably in America, religion has been a friend of democracy. Nor does he want to blame religion for all the nasty things people have done to one another in history. "Atrocities have been committed in the name of God *and* by the godless, by mullahs *and* by commissars, to defend faiths *and* to destroy them." That said, however, Wieseltier is especially worried by the religion factor. "And yet it is a central feature of every religion based on a revelation that it believes itself to be in the exclusive possession of the truth. No amount of tolerance within a religious tradition can diminish the centrality of this feeling of exclusiveness. And this feeling of exclusiveness is the undemocratic feeling par excellence." The problem with religion, says Wieseltier, is that it deals in "absolutes."

What are we to make of this? One wonders what religions Mr. Wieseltier has in mind. Among religions "based on a revelation," Christians and Jews are emphatic in saying that they do not have "exclusive possession of the truth." (Islam in the modern period has had less occasion to articulate itself in relation to other religions, but the case is made by some learned Muslims that in this respect it does not differ from Judaism and Christianity.) Some ill-informed Jews and Christians might say that they are in exclusive possession of the truth, but it is heresy. For Jews, the Noahide laws apply to everyone, and they are true. For Christians, concepts of reason, natural law, orders of creation, and civil virtues are true for all humankind. Note that the universal truths affirmed by religion are precisely those truths that are most pertinent to the right ordering of the *civitas*, including the right order of democracy.

Mr. Wieseltier falls into confusion when he stumbles over the word "absolute." It is a word that does not sit well with the modern mind. Having a very modern mind, Wieseltier goes on this way: "I think that religion should be banished from politics *whether or not it is true or false*, because a democratic politics is based not on truth but on justice. In a democratic society, the nonbeliever must let belief alone and the believer must inhibit the political dimensions of his belief. The atheist must expand and the theist must contract." Now he has gotten himself into a terrible muddle. Perhaps a few items can be clarified.

Religion, Pluralism, and Democracy

Mr. Wieseltier would seem to believe absolutely in democracy. The faithful Christian or Jew has difficulties with that, if it means that only one kind of regime is compatible with the will of God. But the biblical believer is committed to aspects of what Wieseltier, and perhaps most of us, would call democracy. For instance, pluralism and respect for others of a different religion (never implying, of course, some kind of "equal status" between conflicting religious truth claims). Religious freedom, including pluralism, is itself grounded in religion. Why, for example, do we not kill one another over our disagreements about the will of God? The answer is that we do not kill one another over our disagreements about the will of God because we know it is the will of God that we not do so. This is a truth. It is a truth grounded in religion. It is an absolute truth that protects us from the dangers of "absolutism." To be sure, in the course of history many believers have violated that truth. It is also the case that the understanding of the political, and specifically democratic, implications of that truth has developed slowly.

But that understanding has also developed surely. Consider, for instance, the Declaration on Religious

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Freedom (*Dignitatis Humanae*) of the Second Vatican Council. This is not a grudging statement of "toleration" but a declaration—a *theologically* argued declaration—of the moral imperative of respect for diversity and disagreement. This is not a compromise of Catholic teaching but a bold assertion of Catholic orthodoxy. This document is worth mentioning in particular because it is a statement that is formally authoritative for the 900 million-plus people in the world who are Roman Catholics. Comparable statements have been produced by other churches. This does not mean that Catholics and others have not or will not in the future act against the religious freedom of others. It does mean that, when they do so, they are acting against what they affirm to be true.

Justice as Truth

But Mr. Wieseltier says that "democratic politics is based not on truth but on justice." What a truly astonishing statement, especially in view of the fact that he later suggests that he is a Kantian. Kant—like Aristotle, Augustine, Thomas, Calvin, Locke, or Madison—would have been quite astonished by the divorce between truth and justice. Justice *is* the truth most pertinent to the ordering of public life. Justice divorced from truth becomes a question of *whose* justice, and invites a Hobbesian war of all against all. Justice is then no more than a pretext for the will to power. In sharpest contrast to Mr. Wieseltier's divorce of truth and justice, at least some friends of freedom begin with the proposition, "We hold these *truths* to be self-evident . . . "

Are we paying too much attention to Mr. Wieseltier? No, not at all. He is an influential and thoughtful person, and his way of thinking about religion and public life holds broad sway among our cultural elites. He has yet other points to make that require attention. "It is sometimes argued," he writes, "that religion is necessary for politics because religion is the source of morality. This is often a cynical argument, made by people who believe in religion but not in God." Indeed, and such people may well be on their way to hell, which is very sad. But Mr. Wieseltier does not mean to challenge only their bad faith, he means to challenge the premise: "In any case, religion is not *the* source of morality; it is *a* source of morality. It has often been a source of immorality, too. For the purpose of social peace, Kant will do just fine; and nothing that transpired at Auschwitz or Kolyma makes Kant look bad."

Again, there is truth in that, but it is so confusedly mixed with untruths and half-truths. As we have already noted, any sensible person must stipulate that religion has often been a source of immorality. It must further be stipulated that there are moral people—at least in terms of the virtues appropriate to the temporal realm—who do not draw their morality from sources ostensibly religious in nature. So far the truth in Mr. Wieseltier's assertion. He rather carelessly overlooks the fact, however, that the overwhelming majority of Americans (from 85 to 95 percent, according to stable data) do say that religion is *the* source of morality. That is, asked what is the source of morality, they give explicitly or implicitly religious answers—i.e., the Ten Commandments, the Bible, the Sermon on the Mount, Jesus, Moses, or the teachings of their church.

Whatever one thinks of the cogency of these answers, they have everything to do with the America that represents the kind of democratic pluralism that Wieseltier favors. Equally important, the connection between religion and morality has everything to do with the situation in the newly liberated countries that is the subject of Mr. Wieseltier's reflection. Again, it seems that he has come upon what he thinks is a problem—the perdurance and pervasiveness of religion—and wants us to join him in trying to wish it away.

And what are we to make of the last sentence quoted? "For the purpose of social peace, Kant will do just fine; and nothing that transpired at Auschwitz or Kolyma makes Kant look bad." Several responses are in order. First, Mr. Wieseltier has earlier made it clear that he is not a champion simply of social peace. After all, there is a kind of social peace imposed by dictatorships. He is in favor, as we are in favor, of a robustly democratic society. Second, he suggests that Auschwitz and Kolyma are instances of religion as a "source of immorality." The case can be made that Nazism and Marxist-Leninism were in fact false religions, but both made it unmistakably clear that they were the declared enemies of biblical religion. Third, while we admittedly have not read Mr. Wieseltier's philosophical works, we cannot imagine what this has to do with Kant not looking bad.

Mr. Wieseltier seems to believe that liberal democracy—and he appears to have the American experiment in mind—is somehow based upon Kant. (And a Kant who separates truth from justice at that.) In our recent history, the most influential quasi-Kantian effort to establish a moral basis for democracy is John Rawls' *A Theory of Justice*. Unlike Kant, Rawls dispenses with the question of what we can know for sure, and, unlike Locke, he proposes a social contract that does not require knowledge of "nature," of how the world really is. Whatever one thinks of Rawls' recondite and demanding theory, it is probable that no more than a few thousand people have read it with care, and most of them are not in agreement as to what it means. Indeed Mr. Rawls has been prominent among the revisionists of his theory.

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A Kantian Civic Catechism?

Yet Mr. Wieseltier suggests that, with the theists out of the way and the atheists in charge, democracy can be secured on a Kantian foundation. Maybe Rawls is beside the point. Maybe, despite Kant's devotion to truth, Wieseltier would go back to the source and make *The Critique of Practical Reason* the civic catechism from which hundreds of millions of Americans, Poles, Czechs, Slavs, and Russians would derive their understanding of democratic morality. He surely knows that that is highly improbable. What we have here is a proposal that a small handful of learned people, presumably including Mr. Wieseltier, will serve as the custodians of the moral theory and sources of democratic governance. Aside from being implausible, that hardly seems very democratic. It is, however, the kind of confusion into which one falls when one is determined to exclude the *actual* sources of democratic morality from public life.

Wieseltier and others are properly concerned about the explosive mix of nationalism and religion in Eastern Europe. National and ethnic rivalries, commonly joined to religious rivalries, may well keep that part of the world in turmoil for some time, and the turmoil will likely be violent on occasion. Religion as a tempering force, and as a source of moral legitimation for democratic pluralism, has had little opportunity to develop in these countries. Ethnic, national, and religious grievances go back centuries. The terrible years of totalitarian rule precluded the nurturing of religious ecumenism as we have known it in the West. For tragically obvious reasons, there has been nothing like our Jewish-Christian dialogue. In short, religion is very much part of the explosive package of pent-up resentments in these countries so long oppressed.

Those of Mr. Wieseltier's mindset believe, with little benefit from logic or historical evidence, that democracy can be secured on a thoroughly secular foundation. They would simply wish the religion factor away, or at least wish it away from the public arena. That is as realistic as religious sentimentalists who urge that people set aside nationalism and ethnicity in order to practice "the brotherhood of man under the fatherhood of God." Dynamics such as religion, ethnicity, and nationalism cannot be wished away. They can be turned into the paths of peace and democracy. Historical experience and clear thinking indicate that, in that turning, the key dynamic is religion.

But Mr. Wieseltier will not likely be persuaded any time soon. Nor will many others in our cultural elites who are devoted to public secularism. To his credit, Mr. Wieseltier recognizes that the critical questions in Eastern Europe are cultural—how people contrive to articulate the "meaning of their lives." As people do not live by bread alone, so democracy will not be created or revived simply by the turn to market economies, as important as that turn undoubtedly is. Nor will it happen, as some fatuously claim, by importing Western notions of "the rule of law." Market economies and constitutional schemes for democratic governance are necessary, but, as Wieseltier correctly notes, the critical forces in self-determination are those realities external to the self by which people believe they are determined.

In the economic sphere, Eastern Europeans are emphatically rejecting the semi-socialism of "the Swedish model." The Swedish model continues to have a powerful grip on the minds of Western intellectuals. The Swedish model has to do with culture as well as economics. A declining Sweden is also the most thoroughly secularized society in the world. With respect to religion and public life, Leon Wieseltier and his like are proposing to Eastern Europe the Swedish model with respect to religion and public life. That too, we expect, will be emphatically rejected.

The eyes of those who have recently come out from under totalitarian rule are set on another model. That model is an experiment "so conceived and so dedicated" on the basis of truths held to be self-evidently in accord with Nature and Nature's God. The American experiment is inseparable from a religiously grounded morality that produced a polity that not only tolerates but requires the vibrant exercise of religion in public life. It has not been easy to sustain that experiment here. It will likely be much more difficult for most of the nations of Eastern Europe. But for those who aspire to democracy, there is no real-world alternative.

FT

SINGING THE SONG OF MYSELF

With this we will likely offend a few readers (a rare occurrence). One can anticipate the letters from people who say how much they have been "helped" by John E. Bradshaw. Almost every skilled charlatan has a trick or two that the credulous will find "helpful." Bradshaw is the psycho-spiritual evangelist of "The Inner Child," and one of the hottest properties on the lecture-video-book-television circuit that caters to the masses exercising their discontents on an excess of leisure.

In auditoriums across the country, Bradshaw draws thousands who are eager to be told that they are quite wonderful. PBS recently televised a series of what are declared to be his "uplifting" and "inspirational" presentations. Those prepared to pay the fee are also admitted to small therapy groups in which they are

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induced into discovering the thoroughly admirable selves that they once were, and can be again. Successful sessions end in tear-filled mutual clutchings as participants carry on about how they never knew that they could love themselves so much.

Bradshaw's message is simple to the point of embarrassment. There is an Inner Child trapped within you. This is the Wonder Child, but also the Wounded Child. He has been wounded by others—usually by parents or other adults many years ago—and that is why you are discontented with your life. All you have to do is go back in memory and find that child ("the most wonderful child you can imagine") and take him in your arms and feel his hurt and "work through the anger" he has toward all the people who wounded him. Then, with the Wonder Child, you walk away from those people, saying goodbye to them once and for all, thus "freeing yourself from the bonds of the past."

This is the "going home" therapy, designed to help one leave home for good and thus, presumably, become an adult. During the procedure, the audience, with eyes closed, is aided by, of course, the "Going Home" theme of Dvorak's *New World Symphony.* Bradshaw announces himself as "exceedingly well educated" and within a few minutes of his pitch packs in classy references to Kierkegaard, Dostoevsky, Freud, Kafka, Wordsworth, and other worthies. (Kierkegaard, Bradshaw says, teaches us that "I came into this world for ME!") The gospel according to Bradshaw is nothing if not tailored to please. The usual word is pandering. "You are wonderful! You are unique! Be you!" And, "If you have something you call God, give him or her thanks for being you!"

John Bradshaw was for ten years a Roman Catholic priest. He talks about it a lot. He stopped being a priest when he realized that he was playing the role of the "caretaker and star" in people's lives. People depended on him to take care of their problems, and he was the star at the gathering of the worshiping community. "I didn't want to be an adult child all my life," says Bradshaw. Good luck. It is very difficult to imagine that, as a priest, he was ever the caretaker, indeed master manipulator, of the psyches of the masses that he is now. And as for being a star, no parish could offer the superstar celebritydom that he now so obviously relishes. Not to put too fine a point on it, this man appears to be ego tripping in a manner remarkable chiefly for its unabashed vulgarity. And yet there are thousands upon thousands who say they have been enormously "helped" by him.

There is no great secret to the marketing success of schlock as gross as this. Get together a group of insecure and frequently troubled people and tell them in a sustained and rhetorically persuasive way *that they are creative, unique, loving,* gentle, caring, insightful, and all the other things that they, and perhaps others, have told themselves that they are not, and chances are that they will lap it up. The Bradshaw phenomenon is nothing new. He is in a long line of feelgood, self-esteem, positive thinking, possibility thinking "spirituality" in American life. This is what Christopher Lasch called the culture of narcissism in its most concentrated form. It is feeling good about feeling good about myself, and learning the techniques to systematically exclude from consciousness anything that might disrupt that good feeling.

What makes the phenomenon worthy of comment is that a good deal of popular religion is not that different from what Bradshaw and his like do. Were the truth to be told, there are many clergy who do what Bradshaw does, except they cannot do it so effectively. This does not mean that they are all charlatans or that they are insincere. On the contrary, alas. They somewhere got the idea that "self acceptance" is the Christian gospel. Many of them got it from Paul Tillich's classic text, "You Are Accepted." One can entertain many questions about Tillich's theology, but there is no doubt that Tillich's message was that you are accepted *by God.* That is the opposite of *self* acceptance. Tillich's point was that *despite* yourself—your inadequacies, insecurities, and, yes, sins—God in Christ has accepted you, and *therefore* you can accept yourself.

There is no "despite" in the message of Bradshaw and his like. Rather, he declares, "I love me because I am so eminently lovable!" There is no need for all that business about sin, forgiveness, and the cross because there is nothing to forgive. It is only those who wounded your "Wounded Wonder Child" who gave you the false idea that there is anything wrong with your wonderful Self. It isn't said, but the message is clear: the only thing wrong about yourself is to think there is something wrong about yourself. It takes little imagination to understand the burden of guilt that that lays on people. When they feel bad about feeling bad about themselves, however, Dr. Feelgood has no absolution to offer. He is prepared, however, to sell you a ticket to another session in which you, if you will but submit to the master, can be induced to believe, once again, that you're wonderful. "You can feel as wonderful about yourself as I feel about myself," he exuberantly declares. Father Bradshaw offered God's forgiveness; Doctor Bradshaw sells the fix of his own ebullient example.

The feelgood phenomenon is important because it is evidence of a deep corruption in popular religion. It alerts us to view with some skepticism the polling data that tell us how "religious" the American people are. Such data are critically important to understanding American life, but those who care about the integrity of religion should always be asking themselves what religion it is that many Americans are so religious about. The shoddy material peddled by Bradshaw and others is not simply un-Christian, it is anti-Christian. Put

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differently, it is spiritualized and psychologized atheism. Others might prefer to say that it is idolatry, since the only god recognized is the god of The Self. Again, this is nothing new. It is deeply entrenched in American popular culture. A century ago Walt Whitman declared, "I celebrate myself and sing myself,/ And what I assume you shall assume." "I did it my way," croons Mr. Sinatra.

Listen to John E. Bradshaw and you hear America singing. Not all of America, to be sure, but a very large part of America. And not just the great unwashed of mass culture. PBS, after all, is *educational* television. It is controlled by the elite who mint and market the ideas embraced by those of cultivated taste and insight. The John Bradshaw Show is the Masterpiece Theatre of their spiritual lives. Broadcasting it poses no problems about the separation of church and state, for who can raise a legal challenge to the message that the true visible church on earth is You. Compared with the Bradshaw genre, it might be argued that the likes of Pat Robertson and Jimmy Swaggart are intellectually sophisticated. They will not be broadcast by PBS any time soon, however, for, whatever one thinks of their theology, they make cognitive claims that are at least worth arguing about.

With Bradshaw, on the other hand, once you have accepted the proposition that you are the most wonderful thing in the whole wide world, there is nothing to think or argue about. The only problem is when you begin to doubt the proposition. But then you have the videos at hand and can listen and be persuaded all over again. Bradshaw is representative of the vaunted "new spiritualities" with which American culture is awash. It is the kind of spirituality that assures that religion will be kept at safe remove from public life. It is the radical privatizing, subjectivizing, and infantilizing of the life of the spirit.

There may be something to that business about the Inner Child, after all. It is not the child that He said we must all become in order to enter the kingdom of God. It is, rather, the child to which a confused culture regresses, defiantly declaring that there is nothing to fear or to revere other than Me. Of course it is very sick, and the remedy chosen is the sickness itself. Much worse, it is not true. The even deeper problem of a therapeutic society is the inability to understand that its not being true is much worse than its being sick.

FT

WHILE WE'RE AT IT

■ We're beginning to like this Herbert Mitgang fellow. He is a daily book reviewer for our local paper, the *Times*, and he makes no attempt to disguise his prejudices. A while back we mentioned his review of a novel that he readily acknowledged was literary trash. It was about a cabal of anti-abortionists taking over the country and forcing women back into the back alleys, and so forth. In sum, it was agitprop, but Mitgang relished it because, he left no doubt, he agrees with the direction of the prop. Now he reviews *Culture in an Age of Money*, edited by Nicolaus Mills. It is unabashed Reagan-bashing, and Mitgang does not attempt to deny that this too is agitprop. Says he: "What makes 'Culture in an Age of Money' fun to read—at least for people who were not enamored of Mr. Reagan—is its refreshing candor. Most of the essays are unanimous in their belief that the Reagan era was a triumph of flackery, vulgarity, and mediocrity. The book's *Schadenfreude* can bring a consoling pleasure to readers in sympathy with its theme." Most reviewers, no matter how prejudiced, make some effort to appear impartial. There is something refreshing about a reviewer who waxes enthusiastic about what he admits are bad books because their prejudices are also his.

■ The Ford Foundation is looking for someone to direct a program in human rights and democratic governance. The letter of inquiry includes an extensive description of "The Ideal Candidate." He/she should be a good communicator, effective organizer, and so forth. Then this: "A person with strong values, but not a fixed point of view or a predetermined agenda." What is needed, it seems, is someone with strong convictions about nothing in particular. Which puts us in mind of a joke (of sorts) heard the other day. Q: What do you get if you cross a Jehovah's Witness and a Unitarian? A: Somebody who goes around knocking on doors with nothing particular in mind.

Sources: Editorials on the Cruzan case: *New York Times*, December 27, 1990; *Wall Street Journal*, December 28, 1990. Leon Wieseltier's "Propositions for a Postcommunist World" in *Harper's*, December 1990. Herbert Mitgang in the *New York Times*, December 5, 1990.

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